

REGULAR MEETING

Monday, May 6, 1974, 5:00 P.M.

A Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 5:00 p.m., Monday, May 6, 1974. President Hasbrook in the Chair. Councilman Roger Brown opened the meeting with prayer, followed by the Pledge of Allegiance.

ROLL CALL

The President instructed the Clerk to take the roll. Twenty-eight members being present, he announced a quorum. The roll call was as follows: *Present:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *Absent:* Mr. McPherson.

APPROVAL OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for April 22, 1974, as distributed. There being no corrections, the Journal for April 22, 1974, stands approved as distributed.

OFFICIAL COMMUNICATIONS

President Hasbrook called for reading of communications. The Clerk read the following:

April 24, 1974

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Jean A. Wyttenbach, the following City-County Ordinances.

FISCAL ORDINANCE NO. 18, 1974, Amending the City-County Budget for 1974 and appropriating \$9,080 for certain purposes of the Legal Division, Department of Administration.

SPECIAL RESOLUTION NO. 15, 1974, A commendation to Department of Transportation Director, Richard B. Wetzel, Board Chairman of the Transportation Board, on his resignation from the Department of Transportation.

GENERAL ORDINANCE NO. 6, 1974, Prohibiting the discharge of Firearms and regulating hunting in the Consolidated City and fixing penalties for violation.

GENERAL ORDINANCE NO. 7, 1974, Amending and revising City-County G. O. #95, 1970, to establish certain requirements and procedures with respect to the control and removal of unwholesome environmental conditions providing for abatement of such conditions, creating a lien, and providing penalties with respect to violations.

GENERAL ORDINANCE NO. 8, 1974, Amending Chapter 2, Title 2 of the Code of Indianapolis and Marion County, "Transferring the Administration of the Metropolitan Manpower Commission, the Mayor's Youth Commission, and the C.S.P.

from the Office of the Mayor to the Department of Administration.”

GENERAL ORDINANCE NO. 9, 1974, Amending the Municipal Code of Indianapolis 1951, particularly Title 4, Chapter 8, Section 812 thereof, Parking Prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 10, 1974, Enlarging the boundaries of the Fire Special Service District of the City of Indianapolis, amending the Code of Indianapolis and Marion County 1970, and fixing a time when the same shall be effective.

GENERAL ORDINANCE NO. 11, 1974, A proposal for General Ordinance amending Title 4, Chapter 9, Section 912 thereof, **CHARGES FOR PARKING.**

GENERAL ORDINANCE NO. 12, 1974, A proposal for General Ordinance amending Title 4, Chapter 5, Section 512 thereof, **LEFT TURNS PROHIBITED AT CERTAIN INTERSECTIONS.**

GENERAL ORDINANCE NO. 13, 1974, A proposal for General Ordinance amending Title 4, Chapter 4, Section 403 thereof, **ALTERATION OF PRIMA FACIE SPEED LIMITS.**

GENERAL ORDINANCE NO. 14, 1974, A proposal for General Ordinance amending Title 4, Chapter 13, Section 1303(3) thereof, **TRUCKS ON CERTAIN ROADS RESTRICTED—10-TON.**

GENERAL ORDINANCE NO. 15, 1974, A proposal for General Ordinance amending Title 4, Chapter 7, Section 709 thereof, **VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS.**

GENERAL ORDINANCE NO. 16, 1974, A proposal for General Ordinance amending Title 4, Chapter 8, Section 818 thereof, **PARKING, STOPPING, OR STANDING PROHIBITED BETWEEN 7:00 A.M. and 9:00 A.M. EXCEPT ON SATURDAYS, SUNDAYS, AND HOLIDAYS, ON CERTAIN STREETS.** And

amending Title 8, Section 839 thereof, PARKING, STOPPING AND STANDING PROHIBITED BETWEEN 3:00 P.M. and 4:00 P.M. EXCEPT ON SATURDAYS, SUNDAYS AND HOLIDAYS ON CERTAIN STREETS.

GENERAL ORDINANCE NO. 17, 1974, A proposal for General Ordinance amending Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS.

GENERAL ORDINANCE NO. 18, 1974, A proposal for General Ordinance amending Title 4, Chapter 7, Section 709, thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, and Title 4, Chapter 7, Section 711, thereof, STOPPING AT CERTAIN INTERSECTIONS, FOUR-WAY STOPS.

GENERAL ORDINANCE NO. 19, 1974, A proposal for General Ordinance amending Title 4, Chapter 4, Section 403 thereof, ALTERATION OF PRIMA FACIE SPEED LIMITS, and Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

GENERAL ORDINANCE NO. 20, 1974, A proposal for General Ordinance amending Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS.

GENERAL ORDINANCE NO. 21, 1974, A proposal for General Ordinance amending Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

GENERAL ORDINANCE NO. 22, 1974, A proposal for General Ordinance amending Title 4, Chapter 6, Section 602 thereof, ONE-WAY STREETS AND ALLEYS and Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS and Title 4, Chapter 7, Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS, FOUR-WAY STOPS, and Title 4, Chapter 8, Section

811, thereof, PARKING PROHIBITED AT ALL TIMES ON ALLEYS AND STREETS OF CERTAIN WIDTHS.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

RGL/jp

May 6, 1974

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be posted in three (3) public places and published in the Indianapolis News and the Indianapolis Commercial on April 25, 1974, and May 2, 1974, a "Notice to Taxpayers" of a public hearing on Proposal Nos. 122 and 126, 1974, to be held on Monday, May 6, 1974, at 5:00 P.M., in the Council Chambers, City-County Building.

I also caused to be published in the Indianapolis Commercial and the Indianapolis News on April 25, 1974, a "Notice of Regular Meeting", to be held on Monday, May 6, 1974, at 5:00 P.M., in the Council Chambers, City-County Building.

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News, and the Indianapolis Commercial on April 29, 1974, and May 6, 1974 the following Ordinances, General Ordinances Nos. 6, 7, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, 1974.

Pursuant to all the rules and regulations, I also caused to be published in the Indianapolis News and the Indianapolis Commercial on

April 29, 1974 and May 6, 1974, General Ordinance No. 10, 1974. An annexation Ordinance to the Fire Special Service District.

Respectfully,

JEAN A. WYTTENBACH
City Clerk

JAW/jp

PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 169, 1974. Introduced by Councilman Caplinger. Mr. Caplinger read a proposal for a Special Resolution honoring the Indiana Pacers. Councilman Caplinger moved, seconded by Councilman Tintera, to adopt Proposal No. 169, 1974. The motion to adopt carried by unanimous voice vote. Proposal No. 169, 1974, was retitled Special Resolution No. 19, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 1974

A PROPOSAL FOR A SPECIAL RESOLUTION honoring the Indiana Pacers.

WHEREAS, the Indiana Pacers have been an important asset to this community and have caused an enthusiasm for professional basketball to spread throughout this state; and,

WHEREAS, the Indiana Pacers have finished another season with a winning record and have again brought honor to the people of this community; and

WHEREAS, this community again desires to express its appreciation to the Indiana Pacers and their Coach, Bobby Leonard, for another great season and for the spirit of unity the Pacers give to this community; now, therefore;

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. The City-County Council, on behalf of its members and for the citizens of Indianapolis-Marion County, does hereby extend best wishes and congratulations to the Indiana Pacers.

Section 2. The City-County Council does hereby publicly commend Coach Leonard and the Pacers for the example of sportsmanship and victory they have given to this community.

Section 3. The Mayor of the City of Indianapolis is hereby invited to join in the expression of this Resolution by affixing his signature hereto.

Section 4. The Clerk of the City-County Council is instructed to suitably inscribe a copy of this Resolution for delivery to Coach Bobby Leonard and the Pacers.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 147, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, providing penalties and fixing a time when the same shall take effect;" and the President referred it to the Transportation Committee.

PROPOSAL NOS. 148-149, 1974. Introduced by Councilman Caplinger. The Clerk read the proposals entitled "A proposal for Rezoning Ordinances certified from the Metropolitan Commission on April 26, 1974;" and the President referred it to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 150, 1974. Introduced by Councilman Griffith. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 and appropriating the sum of \$225,000 for certain purposes of the Marion County Department of Public Welfare by reducing certain other appropriations for that Department;" and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 151, 1974. Introduced by Councilman Griffith. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending G. O. No. 43, 1973, to allow for increases in salaries and number of personnel in the Marion County Department of Public Welfare and the Marion County Children's Guardian Home;" and the President referred it to the Community Affairs Committee.

PROPOSAL NOS. 152-160, 1974. Introduced by Councilman Giffin. The Clerk read the proposal entitled: "A proposal for rezoning ordinances certified from the Metropolitan Plan Commission on May 3, 1974;" and the President referred it to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 161, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS and Chapter 8, Section 822 thereof, PARKING LIMITED TO ONE AND ONE-HALF HOURS BETWEEN 7:00 A.M. and 6:00 P.M.

EXCEPT ON SUNDAYS ON CERTAIN STREETS, providing penalties and fixing a time when the same shall take effect:" and the President referred it to the Transportation Committee.

PROPOSAL NO. 162, 1974. Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending the Code of Indianapolis and Marion County, 1970, Section 2-471, providing ex-officio members of the Youth Development Advisory Committee;" and the President referred it to the Administration Committee.

PROPOSAL NO. 163, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a Council Resolution approving and appointing Fred L. Madorin as Director of the Department of Transportation;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 164, 1974. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a Council Resolution approving and appointing Murrill Lowry as Director of the Department of Public Safety;" and the President referred it to the Public Safety Committee.

PROPOSAL NO. 165, 1974. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 9, Section 912 thereof, CHARGES FOR PARKING providing penalties and fixing a time when the same shall

take effect;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 166, 1974. Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 7 of the Code of Indianapolis and Marion County, 1970, to provide for a special license for peddlers on the day of the 500 Festival Parade, establishing a fee therefor, and providing penalties;" and the President referred it to the Administration Committee.

PROPOSAL NO. 167, 1974. Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 7, Chapter 4 of the Code of Indianapolis and Marion County, 1970, with respect to licensing of coin operated pool and billiard tables;" and the President referred it to the Administration Committee.

PROPOSAL NO. 168, 1974. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a General Ordinance prohibiting certain processions and fixing penalties for violation of the ordinance;" and the President referred it to the Public Safety Committee.

PROPOSAL NO. 170, 1974. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 and appropriating the sum of \$125,000.00 for certain purposes of the Parking

Meter Division, Department of Transportation, by reducing the Unappropriated Parking Meter Fund;" and the President referred it to the Public Safety Committee.

SPECIAL ORDERS—PUBLIC HEARING

President Hasbrook called for proposals eligible for public hearing. Members of the public were invited to be heard on proposals eligible for public hearing. The Council recessed to the Committee of the Whole at 5:25 p.m. and reconvened at 5:30 p.m.

During the recess, Proposals Nos. 122 and 126, 1974, were heard.

PROPOSAL NO. 122, 1974. Following discussion, Proposal No. 122, 1974, was *passed* on the following roll call vote; *viz:* 26 *Ayes:* Mr. Boyt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *No Noes.* Councilmen Cantwell and Giffin were out of Chambers when vote was taken. Proposal No. 122, 1974, was retitled Fiscal Ordinance No. 17, 1974, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 1974

A PROPOSAL FOR A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 (City-County Fiscal Ordinance No. 67, 1973, as amended) and appropriating the sum of Fifty thousand dollars (\$50,000.00) for certain purposes of the

Office of the Director, Department of Public Safety by reducing the unappropriated City General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1974, as amended, is hereby further amended by the increases and reductions hereinafter stated to provide for certain matching funds for the Crime Impact Program by appropriating the anticipated and committed receipts from the Community Services Program.

Section 2. The sum of Fifty thousand dollars (\$50,000.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE DIRECTOR

	City General Fund
21. Services Contractual	\$ 50,000.00
	<hr/>
TOTAL INCREASES	\$ 50,000.00

Section 4. The said additional appropriations are funded by the following reductions:

	City General Fund
Unappropriated City General Fund	\$ 50,000.00
	<hr/>
TOTAL REDUCTIONS	\$ 50,000.00

Section 5. This Ordinance shall be in full force and effect from and after adoption, following public hearing, approval by the Mayor, and approval by the State Board of Tax Commissioners.

PROPOSAL NO. 126, 1974. On motion duly made and

seconded, Proposal No. 126, 1974, was held for the next meeting of the City-County Council on Monday, May 20, 1974. The motion carried by voice vote.

SPECIAL ORDERS—FINAL ADOPTION

PROPOSAL NO. 96, 1974. Councilman Gorham moved, seconded by Councilman Griffith, to amend Proposal No. 96, 1974, as per the copy distributed. The motion carried by voice vote.

Councilman Dowden moved, seconded by Councilman Ruckelshaus, to further amend Proposal No. 96, 1974, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that Proposal No. 96, 1974, be further amended as follows:

In Section 7-1904, License Fees, Paragraph "b", delete the words and figure "two hundred fifty dollars (\$250.00)" and insert in lieu thereof the words and figure, "fifty dollars (\$50.00)."

The motion to further amend failed by voice vote. Following additional discussion, Proposal No. 96, 1974, as amended, *passed* on the following roll call vote; *viz*: 16 *Ayes*: Mr. Brown, Mr. Byrum, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mr. Patterson, Mr. Tintera and Mr. West. 11 *Noes*: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mr. Elmore, Mrs. Noel,

Mr. Ruckelshaus, Mr. Schneider and Mr. SerVaas. Councilman Giffin was out of Chambers when vote was taken. Proposal No. 96, 1974, was retitled General Ordinance No. 23, 1974, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 1974

A PROPOSAL FOR A GENERAL ORDINANCE amending Title 7 of the Code of Indianapolis and Marion County, 1970, (The License Code) and more specifically, Chapter 19 thereof, "REGULATION AND LICENSING OF BATH HOUSES, MASSAGE PARLORS, MASSAGE THERAPY CLINICS, MASSAGE THERAPY SCHOOLS, AND RELATED ENTERPRISES."

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. Chapter 19 of Title 7 of the Code of Indianapolis and Marion County, 1970, be, and is hereby, amended to read as follows:

7-1901. General Definitions.—Whenever used in this Chapter, the following words or phrases shall be defined as herein stated:

- (a) "Bath House" means any building, room, place or establishment other than a regularly licensed hospital, dispensary, hotel, rooming house, or public lodging house, where members of the public are provided with baths, regardless whether steam, vapor, water, sauna, or otherwise.
- (b) "Massage Parlor" means any building, room, place, or establishment other than a regularly licensed hospital or dispensary where non-medical and non-surgical manipulative exercises are practiced upon the human body with or without the use of mechanical or bath devices, by anyone not a physician, osteopath, or chiropractor duly registered with and licensed by the State of Indiana.
- (c) "Massage" means any method of treating the super-

facial soft parts of the body for remedial or hygienic purposes, consisting of rubbing, stroking, kneading, or tapping with the hands or instruments.

- (d) "Massage School" means any bath house or massage parlor defined in (a) and (b) above, where the act of massage as defined in (c) above is either taught or practiced.
- (e) "Massage Therapy" means the act of body massage, either by mechanical or electrical apparatus for the purpose of reducing or contouring the body by the use of oil rub, salt, hot and cold packs, cold showers and cabinet baths.
- (f) "Massage Therapist" means any person who practices, administers, or teaches all or any of the subjects or methods of treatment defined in subsection (e) above as massage therapy.
- (g) "Massage Therapy Clinic" means any shop, establishment or place of business where any or all of the methods of massage therapy are administered or used.
- (h) "Massage Therapy School" means any duly registered massage therapy establishment where a tuition is charged for the instruction of massage therapy techniques.
- (i) "Private Health Club" means a facility for exercise and physical training which is operated for, and open only to members of a private club and their invited guests.
- (j) "Private Club" means an organization or association maintaining club rooms or other recreation or social facilities used primarily for purposes other than a bath house or massage parlor, membership in which is limited to persons paying a regular dues or assessment.
- (k) "Medical Therapist" means a persons who performs massage solely for patients referred from a physician,

osteopath, or chiropractor duly registered with and licensed by the State of Indiana and who shall maintain a current roster or list of said patients and the course of referral.

7-1902. License Required.—(a) It is unlawful for any person or firm to operate, conduct, or maintain a massage school, massage parlor, massage therapy clinic or bath house without license to operate such massage school, massage parlor, massage therapy clinic, or bath house issued by the City Controller.

- (b) It shall be unlawful for any person or firm licensed to operate a massage school, massage parlor, massage therapy clinic or bath house to employ or permit any person to perform a massage.
- (c) It shall be unlawful for any person to be employed as a massage therapist or to perform massages for a fee unless such person be licensed as a massage therapist by the City Controller.

7-1903. Applications for Licenses.—(a) The application for a license to operate a massage school, massage parlor, massage therapy clinic, or bath house shall contain the following information and should be individually signed to the applicant:

1. Name of Applicant.
2. Residence address of applicant, and
3. Business address of applicant.
4. Number of massage tables, shower stalls, or other such individual units.
5. The age and citizenship of the applicant, in the case of individuals, and of the manager and officers in the case of a corporation.
6. The names, addresses, ages, citizenship and designations of each person connected with the applicant's establishments.

7. Whether the applicant or its manager or officers have ever been previously engaged in operating a massage school, massage parlor, massage therapy clinic or bath house.
 8. Whether any applicant, or in the case of a corporation, its manager, officers, directors, or stockholders have ever been convicted of any act of violence, moral turpitude, sex offense, or prior violation of this ordinance.
 9. An agreement by the operator permitting inspections.
 10. Type of license being applied for by the applicant.
- (b) Along with the operator's application for a license, there shall be filed a verified application for a massage therapist license by each individual who is employed in the establishment who is required by the chapter to be licensed. The application should contain the following information:
1. Name
 2. Age
 3. Address
 4. Citizenship
 5. Whether convicted of any public offense concerning an act of violence, moral turpitude, sex offense, or prior violation of this ordinance.
 6. Nature of work performed.
- (c) Along with the aforesaid applications for license there shall be a certificate from a duly licensed medical practitioner, on a form prescribed by the Health Corporation of Marion County, certifying that said applicant is free from communicable diseases and that said examination

has been made within 30 days prior to the application for the license or permit herein sought.

7-1904. License Fees. The annual license fee for each person who operates or is employed by a massage parlor, massage therapy clinic, or bath house or any combination thereof shall be determined in accordance with the following scale:

- (a) "Class A" licenses shall be required for all private health clubs and medical therapists, the fee for said license to be Fifty dollars (\$50.00) annually.
- (b) "Class B" licenses shall be required for all other owners of the above-mentioned businesses, the fee for said license to be Two hundred fifty dollars (\$250.00) annually.
- (c) "Class C" licenses shall be required for massage therapists, the fee for said license to be Twenty-five dollars (\$25.00) annually for each therapist.

7-1905. Operations.—(a) No Massage School, Massage Parlor, Massage Therapy Clinic, or Bath House shall be operated or conducted in, or with a direct opening to living quarters. There must be a sperate entrance to the living quarters, and a separate entrance to the place of business. No one should use the business quarters for a place of habitation.

- (b) All licensed operators or permit holders under this ordinance shall show their license or permits in a visible location in their establishment.
- (c) All licensees or permit holders shall be subject to all other city ordinances, county ordinances and State of Indiana statutes and to the regulations or various administrative bodies of the city, county, and state, and violation of such regulations, ordinances, or statutes shall be grounds for revocation of licenses or permits.
- (d) It shall be unlawful for any person to be employed by an licensee under this chapter or to be within view of any of the services rendered by a massage

parlor, massage therapy clinic, or bath house who has not reached the age of 21 years.

- (e) Every massage school, massage parlor, massage therapy clinic, or bath house shall be open for inspection during all business hours and at other reasonable times by police officers, health and fire inspectors and duly authorized representatives of the City Controller upon the showing of proper credentials by such persons.
- (f) Any bath house, massage parlor, massage therapy clinic, massage therapy school, or any combination thereof is prohibited from installing or maintaining any lock or similar device on the inside of any door of said business, which cannot be operated by key or knob from the exterior of said door.
- (g) Any establishment licensed under this chapter as a private health club or medical therapist shall maintain a current list of members, or clients as the case may be, and a roster of those receiving massage therapy by dates which lists rosters shall be available to anyone inspecting the establishment pursuant to subsection (e).

7-1906. Issuance and Rejection of Applications—Qualifications.—The Controller, before issuing any license provided for herein, shall investigate the character of the applicant and the officers, directors, and manager of the business if it be a corporation. No license shall be issued if he shall find:

1. That any of the persons named in the application or any employees thereof are not persons of good moral character;
2. That any of said persons have previously been connected with any massage school, massage parlor, massage therapy clinic, or bath house where the license therefor has heretofore been revoked, or where any of the provisions of the law applicable to massage schools, massage parlors, massage therapy clinics, or bath houses have been violated;

3. If the premises sought to be so licensed fail to comply in any manner with the ordinances, and laws applicable thereto.

All applicants for license to engage in the practice of massage therapy must submit a certificate or affidavit of their respective qualifications as to schooling, training, and experience and where and how obtained.

7-1907. Complaints.—All complaints of alleged violations of the provisions of this chapter shall be made in writing to the Controller.

After a hearing hereon, if the Controller should determine that said license shall be revoked, no refund of license or permit fee shall be due.

Section 2. This Ordinance shall be in full force and effect after passage, approval by the Mayor, and publication according to law.

PROPOSAL NO. 144, 1974. Following discussion during which Councilman West spoke in favor of the proposal, Proposal No. 144, 1974, *passed* on the following roll call vote; *viz: 27 Ayes:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *No Noes.* Councilman Giffin was out of Chambers when vote was taken. Proposal No. 144, 1974, was retitled Special Resolution No. 16, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 16, 1974

A PROPOSAL FOR A SPECIAL RESOLUTION amending City-County Special Resolution No. 14, 1974.

WHEREAS, certain County employees have expressed concern, possible disagreement with the staff of the Council and the Fiscal Officers of the County in describing the local units of government which may be eligible for Public Employee Retirement Fund benefits by Special Resolution No. 4, 1974;

WHEREAS, the Council determines it is in the best interest of those employees that the effect of that resolution be clarified; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That City-County Special Resolution No. 14, 1974, be amended by inserting in Section 3 after Line 36 the following additional budgetary subdivisions of certain County officers, to-wit:

Board of Review

Alcoholic Rehabilitation Center

Criminal Probation Department

Central Law Library

Inheritance Tax Department

Section 2. This Resolution shall be in full force and effect from and after adoption.

PROPOSAL NO. 143, 1974. Following discussion during which Councilman SerVaas spoke in favor of the proposal, Proposal No. 143, 1974, passed on the following roll call vote; viz: 27 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckel-

shaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *No Noes*. Councilman Giffin was out of Chambers when vote was taken. Proposal No. 143, 1974, was re-titled Special Resolution No. 17, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 1974

A PROPOSAL FOR A SPECIAL RESOLUTION approving a modification in the budget of the Capital Improvement Board of Managers of Marion County.

WHEREAS, the Capital Improvement Board of Managers of Marion County has recommended a budgetary change in the number of employees and has requested the City-County Council to consider and approve the same; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. The modification of the 1974 budget of the Capital Improvement Board of Managers of Marion County be, and is hereby, changed as follows, to-wit:

Under "part-time and hourly rated employees" change the number of mechanical from sixteen (16) to seventeen (17).

Section 2. This Resolution shall be in full force and effect from and after adoption.

PROPOSAL NO. 145, 1974. Councilman SerVaas moved, seconded by Councilman Tintera, to amend Proposal No. 145, 1974, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend City-County Council Proposal No. 145, 1974, as follows:

In Section 3, line 3, after the word "interns" add the following:

"and furnish appropriate certificates of service for delivery to the interns together with a token or memento of this service."

The motion to amend carried by voice vote. After brief discussion, Proposal No. 145, 1974, as amended, *passed* on the following roll call vote; *viz*: 28 *Ayes*: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. Servaas, Mr. Tintera, and Mr. West. *No Noes*. Proposal No. 145, 1974, as amended, was retitled Special Resolution No. 18, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 18, 1974

A PROPOSAL FOR A SPECIAL RESOLUTION honoring the City-County Council Interns of 1973-1974.

WHEREAS, the members of the City-County Council have, for the last nine months, benefitted from the work and presence of twelve (12) senior college students from institutions of higher learning in this metropolitan area; and,

WHEREAS, the City-County Council Interns have been of service not only to this Council but to the entire community; and,

WHEREAS, this Council desires to show its appreciation to the interns for their service and devotion to government; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. The City-County Council, on behalf of its members and for the City of Indianapolis, does hereby publicly express appreciation to the following interns for 1973-1974:

Nancy Cooper
 Steven Fuzzell
 James Glass
 Paul Hass
 Randall Hindman
 Richard Ovelman
 Mark Resor
 Perri Roberts
 Richard Waller
 William Wright
 Mary Zachar
 Maribeth Zay

Section 2. The City-County Council does recognize the importance of governmental experiences to young people and is grateful to have participated in the intern project.

Section 3. The Clerk of the City-County Council is instructed to suitably inscribe copies of this Resolution for delivery to the interns, and furnish appropriate certificates of service for delivery to the interns together with a token or memento of this service.

Section 4. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

PROPOSAL NOS. 148 & 149, 1974. No action was taken on Proposal Nos. 148 & 149, 1974. Proposal Nos. 148 & 149, 1974, were retitled Rezoning Ordinance Nos. 72 & 73, 1974, and reads as follows:

R.O. #72, 1974—74-Z-64

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #24,
 3650 SOUTH SHERMAN DRIVE, INDIANAPOLIS, INDIANA

Church of God — State Headquarters by P. H. McSwain, State Superintendent request rezoning of 1.50 acres, being in D-3 district to SU-1 classification to provide for a chapel and parsonage.

R.O. #73, 1974—74-Z-197

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #8,
2926 WEST 30TH STREET, INDIANAPOLIS, INDIANA

Greater Indianapolis Broadcasting Company, Inc. by Henry Y. Dein, Attorney, One Indiana Square #2050 request rezoning of 2.13 acres, being in D-4 district to C-3 classification to allow commercial development.

PROPOSAL NOS. 152-160, 1974. No action was taken on Proposal Nos. 152-160, 1974. Proposal Nos. 152-160, 1974, were retitled Rezoning Ordinance Nos. 74-82, 1974, and reads as follows:

R.O. #74, 1974—74-Z-24

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #7,
5435 NORTH KEYSTONE AVENUE, INDIANAPOLIS

William A. & Mary A. Grawmeyer by American Motors Corp. by Richard L. Brown, Attorney, 156 East Market St. request rezoning of 0.42 acre, being in D-4 district, to C-5 classification to permit a used car lot.

R.O. #75, 1974—74-Z-59

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #25,
8610 SOUTH SHERMAN DRIVE, INDIANAPOLIS

Sheehan Construction Co. Inc., by James A. Buck, Attorney, One Indiana Square #2235, request rezoning of 80.00 acres, being in A-2 district, to D-6 classification to provide for apartments.

R.O. #76, 1974—74-Z-61

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT #19,
3681 KENTUCKY AVENUE, INDIANAPOLIS

Robert E. & Melba J. Smith by Mark Gray, Attorney, 11 North Pennsylvania, request rezoning of 0.73 acres, being in A-2 district, to C-3 classification to provide for convenience retail and personal service shops and offices.

R.O. #77, 1974-74-Z-63

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #24,
9811 EAST THOMPSON ROAD, INDIANAPOLIS

Indiana Bell Telephone Co., Inc. by Richard L. Besore, Attorney,
240 North Meridian Street, request rezoning of 3.67 acres, being
in A-2 district, to C-4 classification to provide for future expansion
of telephone exchange.

R.O. #78, 1974-74-Z-65

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1,
6539 GEORGETOWN ROAD, INDIANAPOLIS

Indiana National Bank Trustee by James R. Nickels, Attorney,
One Indiana Square #2050, request rezoning of 7.37 acres, being
in A-2 district to D-6 II classification to provide for an apartment
project.

R.O. #79, 1974-74-Z-69

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #5,
5857 EAST 38TH STREET, INDIANAPOLIS

Color Tile of Indiana by Eugene L. Simon, President, 2727 West
Seventh Street, Fort Worth, Texas, request rezoning of 0.82 acres,
being in D-4 district to C-3 classification to provide for retail sales
or service station.

R.O. #80, 1974-74-Z-70

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #13,
5500-5600 EAST TROY AVENUE, INDIANAPOLIS

James W. Beatty & Associates by James W. Beatty, Attorney, 500
Union Federal Building requests rezoning of 20.56 acres, being in
A-2 district, to I-3-S classification to provide for industrial use.

R.O. #81, 1974-74-Z-72

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #6,
3516 & 3740 EAST 39TH STREET, INDIANAPOLIS

Church of Jesus Christ of Latter Day Saints by Henry E. Cham-
berlain, Bishop of Indianapolis 4th Ward by Verlin C. Stephens,
6637 Alvion Drive request rezoning of 6.55 acres, being in D-2 dis-

trict, to SU-1 classification to provide for existing church, office work, committee meetings and expanded parking area.

R.O. #82, 1974—74-Z-84

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #6,
3800 TO 4300 EAST SIDE FALL CREEK PARKWAY (S.R. #37),
INDIANAPOLIS

Metropolitan Development Commission, Division of Planning and Zoning by F. Ross Vogelgesang, Administrator, 2041 City-County Building requests rezoning of 35.00 acres, more or less, from C-S & D-5 districts to PK-2 classification to permit park related uses, as per map on file.

SPECIAL ORDERS—NEW BUSINESS

Councilman SerVaas announced that the Lincoln Square Lease would be discussed at the next meeting of the Rules and Policy Committee, at 2:30 p.m., Monday, May 13, 1974, in Room 221.

ANNOUNCEMENTS

The following Committee Meetings were scheduled:

Public Safety Committee, 4:00 p.m., Monday, May 13,
Room 221

Rules & Policy Committee, 2:30 p.m., Monday, May 13,
Room 221

Community Affairs Committee, 12:00 noon, Monday,
May 13, Children's Museum

Public Works Committee, 3:30 p.m., Tuesday, May 14,
Room 242

County & Township Committee, 4:00 p.m., Tuesday,
May 14, Room 221

ADJOURNMENT

Upon motion by Councilman Gorham, seconded by Councilman Ruckelshaus, the meeting adjourned at 5:45 p.m.

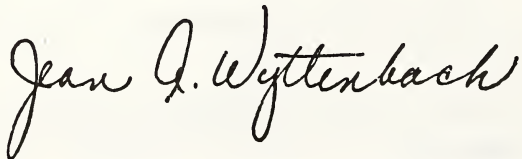
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held at its Regular Meeting on the 6th day of May, 1974.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



(SEAL)

Clerk of the City-County Council