

REGULAR MEETING

Monday, February 17, 1964
7:30 P. M.

The Common Council of the City of Indianapolis, met in the Council Chambers in the City-County Building, Monday, February 17, 1964 at 7:30 P.M. in regular session.

President Wallace in the Chair.

The Clerk called the roll:

Present: Mr. Brydenthal, Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Deluse seconded by Mr. McGill.

President Wallace asked for the reading of Communications.

COMMUNICATIONS FROM CITY OFFICIALS

February 4, 1964

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Angeline Allstatt, the following City Ordinances:

APPROPRIATION ORDINANCE No. 1, 1964

AN ORDINANCE, appropriating, transferring, reappropriating and reallocating the sum of Five Thousand One Hundred Dollars (\$5,100.00), from certain funds in the Office of the City Clerk and transferring and reappropriating the same to other certain funds in the same office by reason of abolishment of the position of Deputy City Clerk and creating the position of Chief Assistant to the City Clerk.

GENERAL ORDINANCE No. 7, 1964

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof, by the addition of a subsection to Section 4-821 (a), prohibiting parking, stopping or standing on certain streets between 3:00 P.M. and 6:00 P.M. on all days except Saturday and Sunday, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 8, 1964

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 6, thereof, by the addition of a subsection to Section 4-603, providing for two-way traffic on Chesapeake Street between Pennsylvania Street and Delaware Street, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 9, 1964

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the addition of a subsection to Section 4-823, prohibiting parking in excess of one and one-half (1½) hours on certain streets between 7:00 A.M. and 6:00 P.M. on all days except Sundays and Legal Holidays, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 10, 1964

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the addition of a subsection to Section 4-813, prohibiting vehicles other than vehicles of the Sheriff of Marion County from parking on South Alabama Street, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 11, 1964

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 9 thereof, by the deletion and repeal of a subsection to Section 4-903, providing one (1) hour parking meter zones, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 14, 1964

AN ORDINANCE creating and establishing in the government of the City of Indianapolis the position of Director of Public Safety.

GENERAL ORDINANCE NO. 15, 1964

AN ORDINANCE, transferring, reappropriating and reallocating the sum of Eleven Thousand (\$11,000.00) Dollars in the Department of Public Safety, Police Department, to provide for the compensation of the Director of Public Safety.

Respectfully submitted,

JOHN J. BARTON
Mayor

JJB:ah

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Times and the Indianapolis Commercial on Friday, February 7th, 1964 and again on Friday, February 14th, 1964 General Ordinances No. 7, No. 8, No. 9, No. 10 and No. 11, of 1964.

The above named ordinances will be in full force and effect eight days after last publication, and compliance with all laws pertaining thereto.

Respectfully,

ANGELINE ALLSTATT
City Clerk

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 3, 1964, appropriating, transferring, reappropriating and reallocating the sum of Three Thousand One Hundred Ninety Dollars (\$3,190.00), from certain funds in the Office of the City Clerk and transferring and reappropriating the same to certain other funds in the same office by reason of abolishment of the position of Clerk Typist and creating the position of Clerk Secretary.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 4, 1964, appropriating, transferring, reappropriating and reallocating, the sum of Three Thousand Nine Hundred Eighty Dollars (\$3,980.00), from the unused balance of the General Fund of the City of Indianapolis and transferring and reappropriating the same to other certain funds in the Office of City Clerk and creating the positions of Record Clerk, and Typists (Part Time), and fixing a time when the same shall take effect.

Respectfully submitted,
DANIEL P. MORIARTY
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 19, 1964, authorizing the Board of Public Works of the City of Indianapolis, to purchase through its duly authorized Purchasing Agent, certain supplies to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect. (This authorization is covered by Requisitions Nos. 10,331, 10,332, and 10,368.)

Respectfully submitted,
R. THOMAS MCGILL
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 20, 1964, authorizing the Board of Public Works of the City of Indianapolis, to purchase through its duly authorized Purchasing Agent, certain supplies to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect. (This authorization is covered by Requisitions Nos. 10,317, 10,318, 10,319, 10,320, 10,321, 10,322, 10,324 and 10,325).

Respectfully submitted,

R. THOMAS McGILL
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 21, 1964, creating in the Police Department, two deputy chiefs and appropriating, transferring, reappropriating and reallocating the sum of Nineteen Thousand Dollars (\$19,000.00), in the Department of Public Safety, Police Department, for the compensation of such deputy chiefs, and creating such permanent rank in said department.

Respectfully submitted,

A. O. DELUSE
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 22, 1964, approving location of projects selected for construction by the Metropolitan Thoroughfare Authority of Marion County, and fixing a time when the same shall take effect.

Respectfully submitted,

MAX E. BRYDENTHAL
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 3, 1964, annexing certain contiguous territory to the City of Indianapolis, Indiana, and fixing a time when it shall take effect.

Respectfully submitted,

A. O. DELUSE
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 4, 1964, authorizing the Board of Park Commissioners of the City of Indianapolis to sell a certain tract of real estate belonging to the Department of Public Parks of the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully submitted,

RUFUS C. KUYKENDALL
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 5, 1964, changing the name of "Bye" Street, extending from Pennsylvania Street on the West to Fort Wayne Avenue on the East, to "40 & 8 Avenue" and fixing a time when the same shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

Indianapolis, Indiana
February 17, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Resolu-

tion No. 3, 1964, which provides for the question of a Civic Auditorium, to be placed on the ballot in the November 1964, election.

Respectfully submitted,

R. THOMAS MCGILL
Councilman

On motion of Mr. McGill seconded by Mr. Deluse the Council recessed at 7:50 for committee hearings.

At this time those present were given an opportunity to be heard on General Ordinance 13, 16, 17, 18, 1964, and Special Resolution No. 2, 1964.

The Council reconvened at 8:15 P.M.

COMMITTEE REPORTS

Indianapolis, Indiana
February 17, 1964

To the President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Health to whom was referred General Ordinance No. 13, 1964, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 6, thereof, by the deletion and repeal of a subsection to Section 4-602, which designated one-way traffic on Walnut Street, and fixing a time when said Amendment shall take effect.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

REV. JAS. L. CUMMINGS, Chairman
HAROLD J. EGENES
THOMAS C. HASBROOK
R. THOMAS MCGILL

Indianapolis, Indiana
February 17, 1964

To the President and Members of the
Common Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Parks to whom was referred General Ordinance No. 16, 1964, entitled

Authorizing the Board of Safety to purchase through its duly authorized Purchasing Agent, certain equipment and supplies to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

MAX E. BRYDENTHAL, Chairman
RUFUS C. KUYKENDALL
REV. JAMES L. CUMMINGS

Indianapolis, Indiana
February 17, 1964

To the President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Health to whom was referred General

Ordinance No. 17, 1964, entitled

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment and supplies to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

REV. JAS. L. CUMMINGS, Chairman
HAROLD J. EGENES
THOMAS C. HASBROOK

Indianapolis, Indiana
February 17, 1964

To the President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Works to whom was referred General Ordinance No. 18, 1964, entitled

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

R. THOMAS McGILL, Chairman
MAX E. BRYDENTHAL
RUFUS C. KUYKENDALL
REV. JAMES L. CUMMINGS
THOMAS HASBROOK

Indianapolis, Indiana
February 17, 1964

To the President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on City Welfare to whom was referred
Special Resolution No. 2, 1964, entitled

That a study commission be appointed to consist of the present
Board of Sanitary Commissioners, two Democrat and one Re-
publican City Council members and two private citizens appointed
by the Mayor such members to serve without compensation to
survey the Sanitation Department.

beg leave to report that we have had said ordinance under considera-
tion, and recommend that the same be passed.

THOMAS C. HASBROOK, Chairman
HAROLD EGENES
MAX E. BRYDENTHAL
REV. JAMES L. CUMMINGS
ALBERT O. DELUSE

INTRODUCTION OF APPROPRIATION ORDINANCES

By Councilman Moriarty

APPROPRIATION ORDINANCE NO. 3, 1964

AN ORDINANCE, appropriating, transferring, reappropriating
and reallocating the sum of Three Thousand One Hundred
Ninety Dollars (\$3,190.00), from certain funds in the Office of
the City Clerk and transferring and reappropriating the same
to certain other funds in the same office by reason of abolish-
ment of the position of Clerk Typist and creating the position
of Clerk Secretary.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the following items specifically budgeted in the Office of the City Clerk, be and the same are hereby reduced, and changes in said office staff are made as herein provided.

OFFICE OF CITY CLERK

REDUCE TAX LEVY

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular

Position of Clerk-Typist (Hereby abolish Feb. 26, 1964)	\$2,868.48
Annual Salary	\$3,390.00

which sum reverts to the City General Fund.

2. SERVICES—CONTRACTUAL

21. Communication and Transportation	\$ 321.52
	\$3,190.00

and said amounts of \$2,868.48 from Fund 11 and \$321.52 from Fund 21, are hereby transferred therefrom, reappropriated and re-allocated to the following designated item and fund.

INCREASE: TAX LEVY

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular

Position of Clerk Secretary (Hereby created).....	\$3,190.00
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Section 2. This transfer and reappropriation is necessary due to the change of Administration in the office of the City Clerk, and the emergency arises because the outgoing City Clerk could not foresee or plan for the Administration of such Office, as required by the elected successor thereto.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and publication as by law required.

Which was read for the first time and referred to the Committee on Finance.

By Councilman Moriarty

APPROPRIATION ORDINANCE NO. 4, 1964

AN ORDINANCE, appropriating, transferring, reappropriating, and reallocating the sum of Three Thousand Nine Hundred Eighty Dollars (\$3,980.00), from the anticipated, unexpended, unappropriated and unused balance of the General Fund of the City of Indianapolis and transferring and reappropriating the same to other certain funds in the Office of City Clerk and creating the positions of Record Clerk, and Typists (Part Time).

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the following amount of Three Thousand Nine Hundred Eighty Dollars (\$3,980.00), from the anticipated, unexpended, unappropriated and unused balance of the General Fund of the City of Indianapolis, be hereby reduced.

OFFICE OF CITY CLERK

REDUCE:	TAX LEVY
The anticipated, unexpended, unappropriated and unused balance of the General Fund of the City of Indianapolis	\$3,980.00
and	

INCREASE:	TAX LEVY
1. SERVICES—PERSONAL	
11. Salaries and Wages	

Record Clerk (Position Hereby Created).....	\$2,580.00
Typists (Part Time—Positions Hereby Created).....	1,400.00
	\$3,980.00

Section 2. This transfer and reappropriation is necessary due to the change of Administration in the Office of City Clerk and this emergency arises because the outgoing City Clerk could not foresee or plan the Administration of such positions, as required by the elected successor thereto.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read for the first time and referred to the Committee on Finance.

INTRODUCTION OF GENERAL ORDINANCES

By Councilman McGill

GENERAL ORDINANCE NO. 19, 1964

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain supplies to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the Board of Public Works of the City of Indianapolis be and the same is hereby authorized and empowered to purchase through its duly authorized Purchasing Agent, the hereinafter designated supplies to be used by the department as indicated. The said supplies are to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Board after advertisement therefor, as provided by

law, and the total cost of said supplies shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC WORKS

STREET COMMISSION

Req. No.

10,331	Base Bid for Tires and Tubes	\$5,000.00
10,332	Base Bid for Batteries	3,627.00
10,368	12 Hydraulic Salt Spreaders	8,883.60

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read for the first time and referred to the Committee on Public Works.

By Councilman McGill

GENERAL ORDINANCE NO. 20, 1964

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain supplies to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the Board of Public Works of the City of Indianapolis be and the same is hereby authorized and empowered to purchase through its duly authorized Purchasing Agent, the herein-after designated supplies to be used by the department as indicated. The said supplies are to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Board after advertisement therefor, as provided by law, and the total cost of said supplies shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC WORKS
STREET COMMISSION

Req. No.

10,317	2,000 bbls. (more or less) Air Entrained Portland Cement	\$ 9,440.00
10,318	300 cubic yds. Ready Mix Concrete	3,255.00
10,319	400 tons (more or less) Tar-Joint & Crack Filler	30,000.00
10,320	1,000 tons (more or less) Hot Mix Binder.....	8,000.00
10,321	1,000 tons (more or less) Hot Mix Topping.....	8,500.00
10,322	2,000 tons (more or less) Cold Patch Material....	15,600.00
10,324	600 tons (more or less) Petroleum Asphalt.....	16,080.00
10,325	200,000 gals. (more or less) Liquid Asphalt.....	24,120.00

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read for the first time and referred to the Committee on Public Works.

By Councilman Deluse

GENERAL ORDINANCE NO. 21, 1964

AN ORDINANCE creating in the Police Department, two deputy chiefs and appropriating, transferring, reappropriating and re-allocating the sum of Nineteen Thousand Dollars (\$19,000.00), in the Department of Public Safety, Police Department, for the compensation of such deputy chiefs, and creating such permanent rank in said Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. There is created in the Police Department of the City of Indianapolis, two deputy chiefs of police with base pay each of Nine Thousand Five Hundred Dollars (\$9,500.00) per annum, and funds are provided therefor as hereinbelow set forth.

DEPARTMENT OF PUBLIC SAFETY
POLICE DEPARTMENT

DECREASE: TAX LEVY

1. SERVICES—PERSONAL

11. Longevity Pay\$19,000.00

and

INCREASE TAX LEVY

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular

2 Deputy Chiefs @ \$9,500.00 Each\$10,000.00

Section 2. This ordinance and the reallocations herein does not increase the Annual Budget, or affect the tax rate but merely shifts classifications within a budget item without any effect on the total.

Section 3. Because of the study made by the Indiana University and the conflicting recommendations existing at the time, such positions were inadvertently stricken from the 1964 Budget. Said deputy chiefs have been serving in such capacity during all of 1964 following the Survey recommendations while receiving only the pay allocated to inspectors. The two deputy chiefs holding such office shall accordingly be entitled retroactively to the difference in salary as deputy chiefs compared with the inspectors' salary they have been paid from the first day of 1964. The City Controller is directed to adjust their said compensation so that they shall be paid in full as deputy chiefs from January 1, 1964.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor, but effective as of January 1, 1964, and being an inter item transfer without compliance with the procedure for additional appropriations.

Which was read for the first time and referred to the Committee on Public Safety.

By Councilman Brydenthal

GENERAL ORDINANCE NO. 22, 1964

AN ORDINANCE approving location of projects selected for construction by the Metropolitan Thoroughfare Authority of Marion County.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. The Metropolitan Thoroughfare Authority of Marion County, Indiana has selected projects for construction in the City of Indianapolis and in Marion County and has transmitted to this City a copy of its Resolution to this effect.

Section 2. Said Authority has approved the following projects:

- I. Keystone Avenue from and including the intersection with Thompson Road to and including the intersection with Raymond Street and construction incidental thereto.
Known as Metropolitan Thoroughfare Project No. 1 and for all purposes designated as MTA-CP 64-1.
- II. West 56th Street from the intersection with Kessler Boulevard, North Drive, to and including the intersection with High School Road and construction incidental thereto.
Known as Metropolitan Thoroughfare Project No. 2 and for all purposes designated as MTA-CP 64-2.
- III. Arlington Avenue from and including the intersection with 21st Street to and including the intersection with 38th Street and construction incidental thereto.
Known as Metropolitan Thoroughfare Project No. 3 and for all purposes designated as MTA-CP 64-3.
- IV. Lynhurst Drive-Moeller Road Connection from and including the intersection of Lynhurst Drive and 26th Street to and including the intersection with Moeller Road and construction incidental thereto.
Known as Metropolitan Thoroughfare Project No. 4 and for all purposes designated as MTA-CP 64-4.
- V. Emerson Avenue from and including the intersection of 34th Street to the intersection with Interstate Highway I-70; includ-

ing the intersection with 30th Street and all construction incidental thereto.

Known as Metropolitan Thoroughfare Project No. 5 and for all purposes designated as MTA-CP 64-5.

Section 3. Chapter 386 of the Acts of the Indiana General Assembly for 1963, provides that said Thoroughfare Authority is to be the construction instrumentality for major roadway building in Indianapolis and Marion County but that it can not begin any project or expend any funds unless and until the location of such project or projects shall be concurred in and approved by this Common Council.

Section 4. Accordingly the prior projects and the locations thereof are hereby concurred in and approved by this Council in accordance with Chapter 386 of the Acts of 1963, Section 3 thereof (Burns' R.S. Vol. 3, 36-3403).

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and the Clerk is ordered to certify a copy of this Ordinance to the Secretary Director of said Metropolitan Thoroughfare Authority of Marion County.

Which was read for the first time and referred to the Parks Committee.

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Deluse

SPECIAL ORDINANCE NO. 3, 1964

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the City of Indianapolis, Indiana, be and the

same is hereby extended so as to include the following described territory which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to-wit:

All of the right-of-way of West 38th Street lying between the north right-of-way line of said street as now established and the south line of Section 15, Township 16 North, Range 3 East, in Marion County, Indiana, from the west line of the Town of Woodstock as extended southward, to the east line of said Town as extended southward.

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

Which was read for the first time and referred to the Committee on Law and Judiciary.

By Councilman Kuykendall

SPECIAL ORDINANCE NO. 4, 1964

AN ORDINANCE authorizing the Board of Park Commissioners of the City of Indianapolis to sell a certain tract of real estate belonging to the Department of Public Parks of the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, certain real estate owned by the Department of Public Parks of the City of Indianapolis and heretofore used by the Board of Park Commissioners, as more particularly hereinafter described, is no longer needed by the Department of Public Parks of the City of Indianapolis for the use of the Board of Park Commissioners, nor for the use of general public for Park purposes and the same has heretofore been determined to be surplus property by the Board of Park Commissioners by Resolution duly adopted by said Board on January 30, 1964, and

WHEREAS, the Board of School Commissioners of the City of Indianapolis is desirous of acquiring the hereinafter described real

estate for the purpose of constructing and maintaining a Library on such site, for the use and benefit of the Citizens of Indianapolis, and

WHEREAS, the School City which operates and controls the school system of the City of Indianapolis, will continue to render a public service on such land, to the people of the City of Indianapolis, and

WHEREAS, said School City has heretofore offered in writing to purchase the real estate hereinafter described, for the total sum of Twenty Thousand Dollars (\$20,000.00), which sum is in excess of the appraised value of said real estate as determined by appraisers appointed by the Board of Park Commissioners, and

WHEREAS, it is deemed for the best interest of the City of Indianapolis, its Department of Public Parks, and the citizens of the City of Indianapolis, to authorize the sale and exchange of the real estate hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the Board of Park Commissioners of the City of Indianapolis, be, and it is, hereby authorized, directed and empowered to sell the following described real estate, located on the east side of Garfield Park adjacent to Shelby Street, City of Indianapolis, for the sum of Twenty Thousand Dollars (\$20,000.00), after the same has been appraised by appraisers appointed by the Marion County Circuit Court, and provided that said sales price is not less than the appraised value thereof, said real estate being more particularly described as follows:

A part of the East one half of the Northeast Quarter of Section 24, Township 15 North, Range 3 East in Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at a point, which is 658.0 feet North and 30.0 feet West of the Southeast corner of the Northeast Quarter of Section 24, Township 15 North, Range 3 East, running thence West parallel to the South line of said Quarter Section 112.50 feet to a point, thence North parallel to the East line of said

Quarter Section 200.0 feet to a point, thence East parallel to the South line of said Quarter Section 112.50 feet to a point, thence South parallel to the East line of said Quarter Section 200.00 feet to place of beginning. Containing 0.52 acres, more or less.

Section 2. That in payment therefore, the Board of Park Commissioners of the City of Indianapolis be, and it is hereby authorized, directed and empowered to accept the sum of Twenty Thousand Dollars from the Board of School Commissioners of the City of Indianapolis.

Section 3. The sale of said real estate shall be for public school or public library purposes only, and should the same cease to be used for said purposes, the land shall revert back to the City of Indianapolis unless the conditions set forth in Section 4 of this ordinance shall apply.

Section 4. The sale of the real estate herein described shall be in accordance with the following terms and conditions:

“The Grantee, by its acceptance of this conveyance, covenants and agrees with the Grantor as follows:

1. So long as the Grantee shall retain the title to the real estate hereby conveyed, said real estate shall be used for no purpose other than a public school or a public library purpose.

2. Whenever, hereafter, the Grantee shall receive from a third party a bona fide offer to purchase the real estate hereby conveyed, which offer the Grantee shall desire to accept (such an offer being hereinafter referred to as a “third party offer”), or whenever, hereafter, without having received a third party offer, the Grantee shall elect to dispose of said real estate, the Grantee shall thereupon offer to convey said real estate to the Grantor on terms and conditions not less favorable to the Grantor than those that shall have been specified in said third party offer or (if, without a third party offer, the Grantee shall have elected to dispose of said real estate) on any terms and conditions acceptable to the Grantee. Every such offer so to be made by the Grantee to the Grantor shall be made in writing, and shall remain open for acceptance by the Grantor for a period of thirty (30) days, which period shall begin on the day

of which such offer is delivered by the Grantee to the Grantor. If the Grantor shall not, within such period of thirty (30) days, accept the Grantee's offer to sell said real estate to the Grantor on the terms and conditions specified in said offer the Grantor shall be without any further right, title, or interest in or to said real estate, and the Grantee shall be free to convey said real estate to whomsoever it chooses, on terms not more favorable to the recipient of such conveyance than those that shall have been offered to, and refused by, the Grantor. It is the intention of the parties to create, by inclusion of this covenant in this deed, a right of first refusal in the Grantor in respect of the real estate hereby conveyed."

Section 5. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Health.

By Councilman Moriarty

SPECIAL ORDINANCE NO. 5, 1964

AN ORDINANCE changing the name of a certain street in the City of Indianapolis and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the name of "Bye" Street, extending from Pennsylvania Street on the West to Fort Wayne Avenue on the East, is hereby changed to and hereafter shall be known as "40 & 8" Avenue."

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read for the first time and referred to the

Elections Committee.

INTRODUCTION OF SPECIAL RESOLUTION

By Councilman McGill

INTRODUCTION OF SPECIAL RESOLUTION NO. 3 1964

WHEREAS, the Board of Commissioners of Marion County and the Common Council of the City of Indianapolis have each adopted a resolution setting forth their desire and the desire of said County and City to have a civic center erected by the Indianapolis-Marion County Building Authority pursuant to Chapter 169 of the Acts of the Indiana General Assembly for the year 1963 (Regular Session) and Chapter 54 of the Acts of the Indiana General Assembly for the year 1953, and all acts amendatory thereof and supplemental thereto; and

WHEREAS, such resolutions were duly certified to the Board of Directors of the Indianapolis-Marion County Building Authority and the Auditor of Marion County, and notice of a public hearing was published as provided by law; and

WHEREAS, pursuant to such notice, a hearing has been held by the Board of Commissioners of Marion County and the Common Council of the City of Indianapolis in the auditorium of the City-County Building on February 10, 1964; now therefore.

BE IT RESOLVED, that the Board of Commissioners of Marion County and the Common Council of the City of Indianapolis have each and by the adoption of this Concurrent Resolution do now find and determine that the public interest will be promoted by the construction of a civic center.

BE IT FURTHER RESOLVED that upon the separate adoption of this Concurrent Resolution by both the Board of Commissioners of Marion County and the Common Council of the City of Indian-

apolis, the Indianapolis-Marion County Building Authority is hereby authorized and directed to proceed with the designing, financing, construction and equipment of a civic center in accordance with Chapter 169 of the Acts of 1963 (Regular Session) and Chapter 54 of the Acts of 1953, as amended.

BE IT FURTHER RESOLVED that, as provided by law, financial participation for all expenses, cost, maintenance, operation and incidentals of such civic center shall be on the basis of fifty per cent (50%) by Marion County and fifty per cent (50%) by the City of Indianapolis.

Mr. McGill asked for a second reading of General Ordinance No. 18, 1964.

The Clerk read the Ordinance for a second time.

Mr. McGill moved that General Ordinance No. 18, 1964, be ordered engrossed, read for a third time and placed upon its passage. This motion was seconded by Mr. Deluse.

The Clerk read General Ordinance No. 18, 1964 a third time and it passed on the following roll call vote:

Ayes 9 viz: Mr. Brydenthal, Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

Councilman Cummings called for General Ordinance No. 13, 1964, for a second reading. It was read by the Clerk a second time.

On motion of Councilman Cummings, seconded by Councilman Deluse, General Ordinance No. 13, 1964 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 13, 1964 was read a third time by the Clerk and passed on the following roll call:

Ayes 9 viz: Mr. Brydenthal, Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

Rev. Cummings called for General Ordinance No. 17, 1964, to be read the second time. The Clerk read the Ordinance a second time.

On motion of Rev. Cummings, seconded by Mr. Brydenthal, General Ordinance No. 17, 1964 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 17, 1964, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9 viz: Mr. Brydenthal, Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

Mr. Brydenthal called for a second reading of General Ordinance No. 16, 1964.

The Clerk read the Ordinance for a second time.

Mr. Brydenthal presented the following written motion to amend General Ordinance No. 16, 1964.

Indianapolis, Indiana
February 17, 1964

Mr. President

I move that General Ordinance No. 16, 1964, be amended by striking out Requisition No. 8476.

MAX E. BRYDENTHAL
Councilman

Which was seconded by Mr. Kuykendall and passed by the following roll call vote:

Ayes 8 viz: Mr. Brydenthal, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

Noes 1 viz: Rev. Cummings.

On motion of Mr. Brydenthal, seconded by Mr. Kuykendall, General Ordinance No. 16, 1964 was ordered engrossed and read a third time as amended and placed upon its passage.

General Ordinance No. 16, 1964 as amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8 viz: Mr. Brydenthal, Rev. Cummings, Mr. Deluse, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

Noes 1 viz: Mr. Egenes.

Mr. Hasbrook asked for a second reading of Special Resolution No. 2, 1964. It was read for a second time by the Clerk.

Mr. Hasbrook presented the following written motion to amend Special Resolution No. 2, 1964.

Indianapolis, Indiana
February 17, 1964

Mr. President:

I move that Special Resolution No. 2, 1964 be amended by striking out Section 2. Renumbering Section 3 to Section 2 and making Section 4 Section 3.

THOMAS C. HASBROOK
Councilman

Which was seconded by Mr. Brydenthal and passed by the following roll call vote:

Ayes 9 viz: Mr. Brydenthal, Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

Mr. Hasbrook moved that Special Resolution No. 2, 1964, be ordered engrossed as amended, read a third time and placed upon its passage. Mr. Brydenthal seconded this motion.

The Clerk read Special Resolution No. 2, 1964 as amended and it passed by the following roll call vote:

Ayes 9 viz: Mr. Brydenthal, Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

Mr. Deluse moved for a second reading of General Ordinance No. 6, 1964.

The Clerk read the ordinance for a second time.

Mr. Deluse moved that the Council strike General Ordinance No. 6, 1964 from the records. Mr. Kuykendall seconded the motion.

The Clerk called the roll and it passed by the following vote:

Ayes 9 viz: Mr. Brydenthal, Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, President Wallace.

Mr. McGill called for Special Resolution No. 3, 1964 to be read for the second time.

The Clerk read Special Resolution No. 3, 1964 for a second time.

Mr. Egenes presented the following written motion to amend Special Resolution No. 3, 1964 to wit:

Indianapolis, Indiana
February 17, 1964

Mr. President:

I move that Special Resolution No. 3, 1964 be amended as follows:

BE IT FURTHER RESOLVED that the following shall be placed on the ballot:

Shall the County of Marion and the City of Indianapolis erect a Civic Center out of tax money.

HAROLD J. EGENES
Councilman

Which was seconded by Mr. Hasbrook and passed by the following roll call vote:

Ayes 5 viz: Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, President Wallace.

Noes 4 viz: Mr. Brydenthal, Mr. Kuykendall, Mr. McGill, and Mr. Moriarty.

Mr. McGill moved that Special Resolution No. 3, 1964 be ordered engrossed as amended read a third time and placed upon its passage.

Mr. Brydenthal seconded the motion.

The Clerk read Special Resolution No. 3, 1964 a third time as amended and it failed to pass by the following roll call vote:

Ayes 4 viz: Rev. Cummings, Mr. Deluse, Mr. Egenes, and President Wallace.

Noes 5 viz: Mr. Brydenthal, Mr. Hasbrook, Mr. Kuyken-

dall, Mr. McGill and Mr. Moriarty.

On motion of Mr. Hasbrook seconded by Mr. McGill the Council adjourned at 9:15 P.M.

We hereby certify that the above and foregoing is a full true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 17th day of February, 1964.

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

Joseph C. Wallace

President

ATTEST:

Angeline Allstatt

City Clerk

(SEAL)