

REGULAR MEETING

Monday, July 20, 1964
7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis, was held in the Auditorium of the City-County Building on July 20, 1964 at 7:30 P.M.

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 and President Wallace.

On motion of Mr. Deluse seconded by Mr. Brydenthal the reading of the minutes of the previous meeting was dispensed with.

President Wallace called for the reading of Communications of the Mayor and other City Officials.

COMMUNICATIONS FROM THE MAYOR

Indianapolis, Indiana
July 7, 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:

GENERAL ORDINANCE NO. 67, 1964

AN ORDINANCE authorizing the Board of Public Safety 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.

GENERAL ORDINANCE NO. 68, 1964

AN ORDINANCE authorizing the Board of Public Safety 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.

GENERAL ORDINANCE NO. 69, 1964

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

GENERAL ORDINANCE NO. 70, 1964

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 71, 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 addition of a Section thereto, standardizing the parking period and fees of all present

parking meter zones on streets and alleys within the Central Business District to two hours at the rate of 5c per ½ hour, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 72, 1964

AN ORDINANCE ratifying, confirming and approving the contract entered into on the 4th day of June, 1964, by and between Indianapolis Power & Light Company, a Corporation, and the City of Indianapolis, Indiana, acting by and through its Board of Public Works, with the approval of its Mayor, for lighting public streets, avenue, alleys and other public places and buildings and for furnishing and supplying electric current for light and power for all public buildings, public equipment and other public places.

SPECIAL ORDINANCE NO. 11, 1964

AN ORDINANCE, amending Special Ordinance No. 1, 1964, as amended, so as to read as follows, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO 12, 1964

AN ORDINANCE, appropriating funds made available from the County of Marion for Civil Defense purposes for use during 1964.

Respectfully submitted,

JOHN J. BARTON
Mayor

JJB:ah

Indianapolis, Indiana
July 14, 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 Ordinance:

GENERAL ORDINANCE NO. 56, 1964

AN ORDINANCE prohibiting discrimination in connection with Housing Units because of Race, Color, Religion, Ancestry, or National Origin by Owners, Lessees, Sub-Lessees, Assignees, Managing Agents, Real Estate Buyers, Real Estate Salesmen or Agents and Lenders and prohibiting discrimination in the Sale, Lease, Sub-Lease, Rental, Assignment or other transfer of the Title, Leasehold or other interest in any Housing Unit to any person because of Race, Color, Religion, Ancestry or National Origin and providing duties and procedures for the Commission of Human Rights of the City of Indianapolis for the enforcement thereof and providing penalties.

Respectfully submitted,

JOHN J. BARTON
Mayor

JJB:ah

Indianapolis, Indiana
July 16, 1964

TO: THE CITY CLERK AND THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS

This is to advise that I do, this day, disapprove and Veto Special Ordinance No. 8, 1964, as amended.

My veto is based upon the advice of the Legal Department of the City of Indianapolis and from the information set out in the memorandum attached to this message.

If the Council, should again pass an Ordinance concerning the same subject matter but correct the legal disabilities set out in the memorandum, then I would be inclined to approve the same.

JOHN J. BARTON
Mayor

JJB:ah

COMMUNICATIONS FROM CITY OFFICIALS

Indianapolis, Indiana
July 20, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis:

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News and the Indianapolis Commercial "Notice to Taxpayers" regarding Appropriation Ordinance No. 13 and No. 14, 1964 on Friday, July 10th and again on Friday, July 17th, that said Ordinance would be brought before the Common Council on July 20, 1964 at 7:30 P.M.

Notices of the above were posted ten days prior to date of hearing in the City-County Building, Police Station and the City Market House.

Respectfully yours,

ANGELINE ALLSTATT
City Clerk

Indianapolis, Indiana
July 20, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis:

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News and the Indianapolis Commercial on

Friday, July 10, 1964 and again on Friday, July 17, 1964, General Ordinances No. 70 and No. 71, 1964 and Special Ordinance No. 11, 1964.

General Ordinances No. 70 and 71 will be in effect eight days after the last publication and Special Ordinance No. 11, 1964 will be in effect thirty days after last publication.

Respectfully yours,

ANGELINE ALLSTATT
City Clerk

Indianapolis, Indiana
July 20, 1964

To the Honorable President and Members of the
Common Council of the City of Indianapolis:

Gentlemen:

For your information I caused to be published in the Indianapolis News and the Indianapolis Times on Friday, July 17, 1964 General Ordinance No. 56, 1964.

Both the Indianapolis Times and the Indianapolis News will again publish General Ordinance No. 56, 1964 on Friday, July 24, 1964.

General Ordinance No. 56, 1964 will be in full force and effect eight days after the last publication, which will be August 1, 1964.

Respectfully submitted,

ANGELINE ALLSTATT
City Clerk

Indianapolis, Indiana
July 20, 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. 81, 1964, 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 4-840, prohibiting parking on Sundays between the hours 9:00 A.M. and 6:00 P.M. on 30th Street, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

Respectfully submitted,

James L. Cummings
Councilman

Indianapolis, Indiana
July 20, 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. 82, 1964, establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and fixing a time when the same shall take effect.

Respectfully submitted,

HAROLD J. EGENES
Councilman

Indianapolis, Indiana
July 20, 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. 84, 1964, authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain services to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

Respectfully submitted,

R. THOMAS MCGILL
Councilman

Indianapolis, Indiana
July 20, 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. 85, 1964 relating to the Public City Market, amending certain provisions of the Municipal Code of 1951 to provide and clarify new and changed uses for parking meters to provide revenues for the exclusive operation and maintenance of the City Market.

Respectfully submitted,

A. O. DELUSE
Councilman

Indianapolis, Indiana
July 20, 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. 12, 1964, to prohibit and make unlawful the known employment,

recruitment and furnishing of professional strikebreakers to replace employees involved in a labor dispute and to prescribe penalties therefor, and fixing a time when said ordinance shall take effect.

Respectfully submitted,

MAX E. BRYDENTHAL
R. THOMAS MCGILL
Councilmen

On motion of Mr. McGill seconded by Mr. Deluse the Council recessed at 7:57 P.M. for Committee hearings.

At that time those present were permitted to be heard on Appropriation Ordinances No. 13 and No. 14, 1964. General Ordinances No. 61, No. 64, No. 65, No. 66, No. 73, No. 74, No. 75, No. 77, No. 78, No. 79 and No. 80, 1964.

The Council reconvened at 9:30 P.M.

President Wallace called for the reading of Committee Reports.

COMMITTEE REPORTS

Indianapolis, Indiana
July 20, 1964

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

Gentlemen:

We, your Committee on Finance to whom was referred to Appropriation Ordinance No. 13, 1964, entitled,

AN ORDINANCE, appropriating, transferring, reappropriating and

reallocating the sum of TEN THOUSAND (\$10,000.00) DOLLARS, 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 Department of Public Safety, specifically the demolition fund.

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

DANIEL P. MORIARTY, Chairman
R. THOMAS MCGILL
MAX E. BRYDENTHAL
JAMES L. CUMMINGS

Indianapolis, Indiana
July 20, 1964

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

Gentlemen:

We, your Committee on Finance to whom was referred Appropriation Ordinance No. 14, 1964, entitled

AN ORDINANCE, appropriating, transferring, reappropriating and reallocating the sum of Five Hundred Dollars (\$500.00), from a certain specific, designated item and fund in the Department of Law, to a certain other designated item and fund in the same department, created by virtue of the 1963 Budget, General Ordinance No. 58, 1963, declaring an emergency 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.

DANIEL P. MORIARTY, Chairman
R. THOMAS MCGILL
MAX E. BRYDENTHAL
JAMES L. CUMMINGS

Indianapolis, Indiana
July 20, 1964

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

Gentlemen:

We, your Committee on Finance to whom was referred General Ordinance No. 73, 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 subsections to Section 4-602, providing for one-way streets, thereby providing that said streets shall not be one-way streets, 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.

DANIEL P. MORIARTY, Chairman
R. THOMAS MCGILL
MAX E. BRYDENTHAL
JAMES L. CUMMINGS

Indianapolis, Indiana
July 20, 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. 74, 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 8 thereof, by the addition of a subsection to Section 4-834, prohibiting parking, stopping or standing between 6:00 A.M. and 9:00 A.M., on certain streets, except Saturday and

Sunday, providing a penalty for the violation of same 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.

R. THOMAS MCGILL, Chairman
THOMAS C. HASBROOK
MAX E. BRYDENTHAL

Indianapolis, Indiana
July 20, 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. 75, 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 8 thereof, by the deletion and repeal of a sub-section to Section 4-817, prohibiting parking, standing or stopping on certain streets between 7:00 A.M. and 9:00 A.M., 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.

R. THOMAS MCGILL, Chairman
THOMAS C. HASBROOK
MAX E. BRYDENTHAL

Indianapolis, Indiana
July 20, 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. 77, 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 8 thereof, by the addition of a subsection to Section 4-821 (a), prohibiting parking, stopping or standing between 3:00 P.M. and 6:00 P.M. on certain streets, providing a penalty for the violation of same 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.

R. THOMAS MCGILL, Chairman
THOMAS C. HASBROOK
MAX E. BRYDENTHAL

Indianapolis, Indiana
July 20, 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. 79, 1964, entitled

AN ORDINANCE authorizing the Board of 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.

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

R. THOMAS MCGILL, Chairman
THOMAS C. HASBROOK
MAX E. BRYDENTHAL

Indianapolis, Indiana
July 20, 1964

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

Gentlemen:

We, your Committee on Safety to whom was referred General Ordinance No. 65, 1964, entitled

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, parking meters to be paid for out of funds heretofore appropriated or available, or on a division of revenue basis, 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.

A. O. DELUSE, Chairman
HAROLD J. EGENES
DANIEL P. MORIARTY
RUFUS C. KUYKENDALL
R. THOMAS MCGILL

Indianapolis, Indiana
July 20, 1964

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

Gentlemen:

We, your Committee on Safety to whom was referred General Ordinance No. 66, 1964, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 3, Chapter 1, thereof, by the addition of a subsection to Section 3-102, regarding the location and scope of the City Market, 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.

A. O. DELUSE, Chairman
HAROLD J. EGENES
DANIEL P. MORIARTY
RUFUS C. KUYKENDALL
R. THOMAS MCGILL

Indianapolis, Indiana
July 20, 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. 78, 1964, entitled

AN ORDINANCE concerning the Fire Department of the City of Indianapolis,

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

MAX E. BRYDENTHAL, Chairman
JAMES L. CUMMINGS
RUFUS C. KUYENDALL

Indianapolis, Indiana
July 20, 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. 80, 1964, entitled

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

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

MAX E. BRYDENTHAL, Chairman
THOMAS C. HASBROOK
RUFUS C. KUYKENDALL

President Wallace called for introduction of new Ordinances for first reading.

INTRODUCTION OF GENERAL ORDINANCES

GENERAL ORDINANCE NO. 81, 1964

Introduced by Councilman Cummings

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 4-840, prohibiting parking on Sundays between the hours of 9:00 A.M. and 6:00 P.M. on 30th Street, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-840 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the addition thereto of the following subsection, as follows:

NO.	STREET	SIDE	FROM	TO	TIME	DAY
11	30th Street	South	Keystone Avenue	LaSalle Street	9:00 AM to 6:00 PM	Sunday

Section 2. This amendment shall be subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, Indiana, 1951, as amended.

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

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

GENERAL ORDINANCE NO. 82, 1964.

Introduced by Councilman Egenes

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, 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 for the purpose of providing the owners or occupants of certain premises fronting on certain streets in the City of Indianapolis, with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or occupants having complied with the provisions of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, Section 4-1001, and the Board of Public Safety, after due investigation, having recommended the establishment of the same, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to-wit:

Beginning at a point in the Southeast curb line of Massachu-

setts Avenue, 134 feet southwest of the intersecting west curb line of Alabama Street, as presently established, and extending southwest a distance of 45 feet, for the use and occupancy of Arnott Exterminator Company, 353-357 Massachusetts Avenue.

Section 2. That said loading zone is hereby declared to be subject to all existing traffic and parking regulations, and to any later ordinances and regulations as may be applicable.

Section 3. 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 Elections.

GENERAL ORDINANCE NO. 84, 1964.

Introduced by Councilman McGill

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain services 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 Safety 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 services to be used by the Department as indicated. The said services 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 services shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC SAFETY

Traffic Engineer

Reqn. No. 11,840	Repairs to Servlift	
	on Truck	\$2,269.25

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 Elections.

GENERAL ORDINANCE NO. 85, 1964

Introduced by Councilman Deluse

AN ORDINANCE relating to the Public City Market, long located on all of the South Half of Square 43, in the City of Indianapolis, Indiana; now involved in certain pending litigation respecting its legal title and status; hereby providing for installing and use of parking meters on the West and East areas now used for the parking of vehicles, and prescribing the uses and regulations thereof; and hereby supplementing, amending and repealing, as herein set out, certain provisions of Title 3, Chapter 1, of the Municipal Code of Indianapolis, 1951; G. O. 140, 1951, as since amended, to provide and clarify such new and changed uses for such parking meters to produce new revenues for the exclusive operation, uses and maintenance of such City Market upon such land, to supplement all other revenues from all other sources; and for the creation of a special fund in the Department of Finance, under the City Controller, designated as the "Special Market Fund," so informally set up in 1958 and since so continued for the segregation of all funds from all sources for the exclusive uses of said City Market for all the purposes thereof; with all cash balances therein at the end of each year continuing in such Special Market Fund and not lapsing into the City General Fund; and providing penalties for the violation of this Ordinance, and fixing a time when it shall take effect.

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

WHEREAS, ever since November, 1957, certain litigation has been and still is pending in the class action of Paul C. Wetter, et al., as

taxpayers and representatives of the general public, etc., vs. City of Indianapolis, Indiana, and its various officials, including its Mayor, Board of Public Safety, Common Council, et al., and all successors thereof, being Cause No. C30729 in the Superior Court of Marion County, Indiana, Room 4; in which cause the special judge therein rendered a decree on April 30, 1963, for said City and against the plaintiffs and the Attorney General of Indiana; who have now perfected an appeal from such decree to the Supreme Court of Indiana, Cause No. 30455 in said court, which appeal is pending in due course, and so rendering unsettled and uncertain the final decision upon all issues in said cause, including the legal status, title and rights of the respective parties in such market land and its uses and control; that the subject-matters in this Ordinance or any other Ordinances, affecting said City Market and land, are now subject to the final decree, as decided upon said appeal, and this Ordinance is thereby limited to provide additional needed revenue for the uses and benefit of said City Market and its land in such interim; due to the emergency now and meantime affecting such needed additional revenues, to supplement all present other sources of revenues and so benefit all parties to said pending action, but without hereby affecting same, or in any manner waiving, or admitting any asserted rights, or contentions, of any parties to such litigation. That this Ordinance shall continue in effect as to any use of parking meters on said Market areas, and the uses of its revenues therefrom, as herein prescribed, until such pending appeal is finally decided by the courts and the status of such Market and land shall be thereby determined.

Section 1. The aforesaid Preamble is hereby adopted fully and is so included as explanatory of and a part of this Ordinance.

Section 2. That nothing contained in this Ordinance; or in any other Ordinance supplementing, or amending, repealing any provisions of this Ordinance, or of Title 3, Chapter 1 of said Municipal Code, 1951, as amended; relating to said City Market and land; shall constitute or be construed, or be used by any party to such aforesaid pending litigation, or by any counsel thereof; or by anyone else; as in any manner whatsoever, or in any Court; as being any admission, waiver estoppel, concession, abandonment, consent, or change, in the respective positions and contentions, theories, allegations, or status, of any party to such aforesaid pending action, or any other actions, or of any so represented thereby, now or hereinafter; respecting all subject matters now in issue, or that might be asserted by any parties, or by any others, respecting this City Market land and its permissible uses, now or hereafter, as heretofore long existing; all until the final adjudica-

tion thereof by the Courts. This section is included to protect all such parties and to avoid any doubts or apprehension of anyone, as to any possible adverse effect of this Ordinance upon the title, rights or interests of any and all parties, or of anyone else whatsoever.

Section 3. That Title 3, Chapter 1 of the Municipal Code of Indianapolis, 1951, being General Ordinance No. 140, 1951, as amended, relating to the public City Market, be and the said is hereby further supplemented and amended by adding thereto new sections to be numbered 3-117 and 3-118; and 3-119, providing penalties; and Section 3-120, repealing expressly all of Sections Nos. 3-115 and 3-116, as added to said Title 3, respectively, by G. O. 47, 1959 and G. O. 21, 1954; and also hereby repealing all other provisions of said Title 3, Chapter 1, clearly relevant hereto and in direct conflict with any provisions of this Ordinance; all such aforesaid sections reading, respectively, in the order as so numbered, as follows:

Section 3-117. That due to the destruction by fire in 1958, of Tomlinson Hall and its razing, including the loss of about one-third of the area of the City Market, so occupying its ground floor; all such land area, at the west side of said Market, has since then been vacant, and although paved and reserved heretofore for free parking of vehicles of patrons of said market on days it is open for sales, such ground has been also used without right, or compensation, for general public parking on other days; so that it is now for the benefit of all parties to the aforesaid pending litigation that such vacant paved west area, until market uses thereof may be restored, should be now used and be so regulated by this Ordinance and by the City Board of Public Safety, so as to produce revenue needed for the efficient operation and maintenance of said City Market, as set forth in the Preamble hereto; also to continue for such temporary use of such land, and without in any manner affecting its legal status and future uses, as finally determined by the courts; and if so decided for the appellants and against the City, such use may continue until such later time as such west area may be restored by a new building, or otherwise, to exclusive market uses; and that such land, in such interval, shall now be adapted and used in the following manner, to-wit:

(a) The City, by its Board of Public Safety; and as otherwise provided by law and provisions of the Municipal Code of 1951, as amended, shall acquire the necessary number of coin operated parking meters and install them upon such paved area to be herein called "West Lot," at space marked off for parking of single vehicles, as

herein prescribed and limited. Said Board may also arrange for the use of other personnel of the City, at anytime performing services for its other parking meters and needed for all the services herein required in the operation of such West Lot, as herein authorized; and all provisions of this Ordinance shall be enforced at all times by said Board of Public Safety, in accord with the purpose so to serve the public interests and uses of said City Market. Said "West Lot" embraces all of the vacant land area, formerly occupied by Tomlinson Hall and the Market area on the ground floor, lying west of the present West Market, building; north of Market Street, south of Wabash Street; and east of the five foot strip vacated in 1913 off of the entire east side of Delaware Street, between Market and Wabash Streets.

(b) PARKING ON WEST LOT OF CITY MARKET.

(1) For the exclusive benefit and uses of said public City Market; in its exclusive continued operation upon and long established uses of all such Market land; if so finally decided in such pending litigation in favor of the appellants; and meanwhile, for the production of additional needed revenue for such purposes; general public parking of motor vehicles upon all of said West Lot of the City Market, as herein specified and limited, shall be permitted upon all days of the week, and shall be so governed solely by the provisions and limitations of this Ordinance; and shall not be controlled by any provision of the general "Traffic Code," being Title 4 of the Municipal Code, 1951, as amended; except as any provisions of said Traffic Code, or of the Municipal Code, shall be herein incorporated by reference thereto, or may be necessary to supply any relevant omissions in this Ordinance essential to its practical operation.

(2) That said "West Lot" shall be marked off by adequate parking spaces for each coin operated meter, and all such parking shall be limited to a total of one and a half hours on each day; with a minimum fee of five cents for each half hour of the time desired for such parking, between the hours of 7 o'clock A.M. and 6 o'clock P. M., E.S.T., or any later time zone, on each day, except Sundays and holidays. Such West Lot shall be available also for similar use by all patrons of said City Market at all times, upon the same terms, as aforesaid; but the Board of Public Safety, in its discretion, may, by resolution, set aside and plainly mark certain spaces on said West Lot for free parking by patrons on all days and hours the City Market is open for sales to the public; and also may reserve a designated parking space for free use on all week days by the Market Superintendent, and

also a space for the Market Engineer. All spaces so reserved shall have any meters thereon covered, while so used; and shall not be used by any other persons.

(c) PARKING ON EAST PARKING AREA OF THE CITY MARKET

The East parking area of the City Market occupies a small space set off about thirty years ago by a wall on the entire east side of the present East Market Building, bounded on the south by Market Street, on the east by Alabama Street and on the north by Wabash Street, and used ever since for free parking by patrons on all days and hours the City Market is open for public sales; with about 32 parking spaces marked off for motor vehicles; and use on other days by Market vendors.

(1) That such free use, exclusively by Market patrons on such aforesaid days, while the Market is so open for sales, is hereby continued for periods of one and a half hours for such free parking on such days; and any parking meters that may be installed thereon shall be kept covered and not used on such days and hours, when the Market is open for sales; in order to provide such free parking to patrons and thereby promote the business of the City Market, in competition with free parking by all super-markets, and others. Signs shall be placed in such area to show such reservation thereof and parking limits.

(2) Parking meters may be installed in such East area in the discretion of the Board of Public Safety, and be used, on all terms and charges provided for said West Lot, for general public parking, including vendors in the City Market, on all days the City Market is not open for public sales, and all revenues from such parking meters shall be reserved and used for the exclusive benefit of said City Market; as herein elsewhere prescribed for all such meter revenues; less necessary expenses connected therewith. No officials or employees of said City, or other public authority, shall be exempted from such parking fees.

(d) EXTENSION OF PARKING TIME IN ACTUAL EMERGENCIES.

(1) In all instances of actual bona fide emergencies, such as illness or death of any operator of a motor vehicle so parked on either such

West or East parking area; or of some mechanical failure of a vehicle; or of any police traffic orders affecting exits from such lots; such parking time limits may be extended by the Market Master, or any lot attendant, until such vehicle can be removed from such Market areas; and no extra charge due for parking, or violation for expired time, shall be made. Any expense of removing such vehicle shall be charged to and paid for by the owner or operator upon notice by the Board of Public Safety of the amount so due, and unless paid, within five days from the time fixed by such notice, a penalty of Five Dollars shall be added for each fraction of a day after payment is due, unless remitted by the Board of Public Safety for sufficient cause.

Section 3-118. SPECIAL MARKET FUND CREATED; AND DEPOSIT THEREIN OF ALL MARKET RESOURCES.

(1) There is hereby created a special fund, designated as "City Market Fund," in the Department of Finance, under the City Controller; as such a special fund has been actually operated since about 1958; and the uses of all funds therein, for the purposes as herein prescribed, shall be subject to warrants issued to said City Controller by the Board of Public Safety, for the exclusive relevant uses of said City Market. Such special fund shall be a continuing one, with all balances remaining therein at the end of each calendar year, and no such balances shall then lapse into the City General Fund; or ever be diverted, directly or indirectly, in any manner to any other uses than for said City Market; so long as it so continues for the use of all said land for market purposes; unless otherwise finally decided by the courts in the pending litigation. The anticipated needs, uses and expenditures, of the funds at any time in such "Market Fund" shall be set up by the Board of Public Safety in its annual budgets, as now so done and shown; along with a levy of taxes needed to augment such funds each year; and later additions to such special fund may be duly appropriated during each year; as is approved by the Common Council, and as provided by law.

(2) All existing balances now in such similar fund, on the effective date of this Ordinance; or any funds then, or thereafter due for deposit therein from any source, shall be so credited and charged to such special fund by the City Controller, and all shall be merged therein for the exclusive general uses and benefit of said City Market, except as segregated for some special uses thereof. All revenues from all sources; including taxes and all reasonable rentals from market vendors; parking meter fees, and any penalties connected

therewith and so chargeable and permitted by law to be so credited; and any gifts, or bequests for said City Market; shall be kept in such special Market Fund and used as herein prescribed.

(3) The gross proceeds from all such parking meters installed upon such market land shall be collected the same as so done for other such parking meters on the streets and public parking lots, and shall be first subject to payment of any regular costs for such collections and for any expense of installation, maintenance and repair thereof; as so charged generally to other City parking meters; and all the net balances shall be entered on the records thereof in the office of the City Controller and be deposited by him in the existing general 'Parking Meter Fund'; but shall be kept segregated from other funds therein and designated as 'City Market Parking Meter Funds,' and the net proceeds shall be transferred by the City Controller, by order of the Board of Public Safety, to the exclusive general use of the special 'City Market Fund,' herein created, as now informally existing. Such gross proceeds from such parking meters, to be installed on such City Market land, shall be paid out, as follows: If any such parking meters are purchased, or leased, at any time by the City for use on said City Market area, one half of such net proceeds from the use of such meters shall be paid each month, or oftener, as other meters are so paid for; to the seller, or lessor, of such meters, until all of the purchase price is paid and title is vested in the City; and the other half of such net proceeds, as received, shall be kept segregated and be transferred and credited by the City Controller each month to said special "City Market Fund" for all the exclusive general purpose of the City Market; including, but not limiting, such maintenance, repairs, improvements, equipment, and all other costs reasonably necessary for its efficient operation and needs; and reasonable sanitary requirements as so prescribed by law. When all the costs of acquiring such parking meters have been so fully paid for, and all of the aforesaid other costs chargeable to the use of such parking meters are deducted from all the gross proceeds of such use thereof, then all the net proceeds remaining shall be so transferred by the City Controller each month from such parking meter fund to said "City Market Fund" for all further uses thereof as herein prescribed; and all such receipts thereafter received shall be so transferred and credited at least each month, as aforesaid. All such receipts from said parking meters on the City Market land shall be kept segregated from all other meter funds, as received and deposited in said "Parking Meter Fund," until so transferred therefrom, as aforesaid. All funds from such meter proceeds, so deposited in said special "City Market Fund," together with all revenues from all other sources; shall be used exclusively for all

purposes, as needed from time to time, in the operation, maintenance, repairs, equipment, and improvement of all portions of said City Market; and of any other relevant costs or needs thereof; including the maintenance, operation and repairs of said parking meters and for any other reasonable and relevant expenses pertinent to similar machines used by the City.

Section 3-119. PENALTIES. For all violations of the parking time limits and regulations of parking upon said West Lot, or said East parking space, as hereinbefore provided for, the penalties and procedure generally specified for any similar parking violations, in Title 4, Chapter 12, of the Municipal Code of 1951, as amended, relating to the Traffic Violations Bureau, shall here apply, as relevant. Whenever necessary to remove any vehicle from either the West Lot, or East parking space; in the absence of any reason due to an actual emergency as hereinbefore excepted from being any violation; the further provisions of the City Traffic Code in Title 4, Chapter 11, shall here apply; and for any other violations of this Ordinance than those relating to such parking of vehicles, the general penalty provisions in Title 3, Chapter 1, Sec. 3-114, relating to the City Market shall here apply, as relevant.

Section 3-120. REPEALS. Sections 3-115 and 3-116 of Title 3, Chapter 1, of the Municipal Code, 1951, as so added thereto, are hereby expressly repealed, from and after the effective date of this Ordinance. Also, generally, any penal provisions of said general Traffic Code, Title 4, in the Municipal Code, 1951, as amended, which are in conflict with any provisions of this ordinance, except as any such provisions are herein expressly included; are also hereby so excluded, except insofar as any thereof may supply penalties for offenses that are relevant to this public City Market area and uses.

Section 4. 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 and publication thereof according to law.

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

INTRODUCTION OF SPECIAL ORDINANCES

SPECIAL ORDINANCE NO. 12, 1964.

Introduced by Councilmen Brydenthall and McGill

AN ORDINANCE to prohibit and make unlawful the known employment, recruitment and furnishing of professional strikebreakers to replace employees involved in a labor dispute and to prescribe penalties therefor.

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

Section 1. It is hereby declared to be the policy of the City of Indianapolis in the exercise of its police power for the protection of the public safety and for the maintenance of peace and good order and for the promotion of the City's trade, commerce and manufacturing, to assure all persons involved in labor disputes, freedom of speech and freedom from bodily harm and to prohibit the occasion of violence and disorder and in furtherance of these policies, to prohibit the recruitment and furnishing of professional strikebreakers to replace the employees involved in labor disputes.

Section 2. No person, partnership, agency, firm or corporation, or officer, employee or agent thereof, shall recruit, procure, supply or refer any person for employment who customarily and repeatedly offers himself for employment in place of any employee involved in a labor dispute in which such person, partnership, agency, firm or corporation is not directly involved.

Section 3. No person, partnership, firm or corporation involved in a labor dispute shall, directly or indirectly: (1) Employ in the place of an employee involved in such dispute, any person who customarily and repeatedly offers himself for employment in the place of employees involved in a labor dispute, or (2) Contract or arrange with any other person, partnership, agency, firm or corporation to recruit, procure, supply, or refer persons for employment who customarily and repeatedly offer themselves for employment in place of employees involved in such labor dispute.

Section 4. No person who customarily and repeatedly offers himself for employment in place of employees involved in a labor dispute shall take or offer to take the place of employment of any employee involved in a labor dispute.

Section 5. It shall be prima facie evidence that a person customarily and repeatedly offers himself for employment in place of employees involved in a labor dispute, if such person shall have two (2) times before offered to take the place of employment of persons involved in labor disputes.

Section 6. Any person, partnership, agency, firm or corporation, or any officer, employee or agent thereof, who or which shall violate any provision of this ordinance, for each violation, shall be fined in any sum not exceeding THREE HUNDRED DOLLARS for any such offense, to which may be added imprisonment, not exceeding ONE HUNDRED EIGHTY DAYS.

Section 7. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and in compliance with all laws pertaining thereto and publication, as required by law.

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

ORDINANCES ON SECOND READING

Mr. Moriarty called for Appropriation Ordinance No. 13, 1964 to be read a second time. The Ordinance was read by the Clerk.

On motion of Mr. Moriarty seconded by Mr. Brydenthal Appropriation Ordinance No. 13, 1964, was ordered engrossed read a third time and placed upon its passage. After being read for the third time 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 and President Wallace.

Mr. Moriarty called for a second reading of Appropriation

Ordinance No. 14, 1964. The Clerk read the Ordinance for a second time.

On motion of Mr. Moriarty, seconded by Mr. Brydenthal Appropriation Ordinance No. 14, 1964 was ordered engrossed, read a third time and placed upon its passage.

After a third reading by the Clerk the Ordinance 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 and President Wallace.

Mr. Moriarty called for a second reading of General Ordinance No. 73, 1964, which was read by the Clerk a second time.

Mr. Moriarty moved that General Ordinance No. 73, 1964 be ordered engrossed, read a third time and placed upon its passage. The motion was seconded by Mr. Deluse.

The Ordinance was read a third time and 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 and President Wallace.

Mr. McGill called for a second reading of General Ordinance No. 75, 1964, which was read by the Clerk.

The Ordinance was ordered engrossed, read a third time

and placed upon its passage on motion of Mr. McGill, seconded by Mr. Brydenthal. After the Clerk read the Ordinance for a third time 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 and President Wallace.

Mr. McGill called for a second reading of General Ordinance No. 74, 1964, which was read by the Clerk a second time.

On motion of Mr. McGill, seconded by Mr. Brydenthal General Ordinance No. 74, 1964 was ordered engrossed, read a third time and placed upon its passage.

After the Clerk read the Ordinance a third time 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 and President Wallace.

Mr. McGill called for a second reading of General Ordinance No. 77, 1964. The Clerk read the Ordinance for a second time.

On motion of Mr. McGill, seconded by Mr. Deluse General Ordinance No. 77, 1964 was ordered engrossed, read a third time and placed upon its passage.

After being read for a third time by the Clerk 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 and President Wallace.

Mr. McGill called for a second reading of General Ordinance No. 79, 1964. The Clerk read the Ordinance for a second time.

On motion of Mr. McGill, seconded by Mr. Deluse General Ordinance No. 79, 1964 was ordered engrossed, read a third time and placed upon its passage.

After a third reading by the Clerk 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 and President Wallace.

Mr. Deluse called for a second reading of General Ordinance No. 65, 1964. The Clerk read the Ordinance for a second time.

Mr. Deluse proposed the Ordinance be amended and the Amendment was read by the Clerk as follows:

Indianapolis, Indiana
July 6, 1964

Mr. President:

I move that General Ordinance No. 65, 1964 be amended by striking out 104—Parking Meters, (more or less) to be installed on the City Market Parking Lots, plus installation costs thereof, if any and inserting in lieu thereof the following:

7. PROPERTIES

72. Equipment—104 Parking Meters (more or less) to be installed on the City Market Parking Lots, plus installation costs thereof, if any

A. O. DELUSE
Councilman

Mr. Deluse moved the Amendment be adopted, said motion being seconded by Mr. McGill.

The Amendment was adopted 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 and President Wallace.

On motion of Mr. Deluse, seconded by Mr. McGill General Ordinance No. 65, 1964, as amended, was ordered engrossed, read a third time and placed upon its passage.

The Clerk read General Ordinance No. 65, 1964, as amended, 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 and President Wallace.

Mr. Deluse called for a second reading of General Ordinance No. 66, 1964. The Clerk read the Ordinance for a second time.

On motion of Mr. Deluse, seconded by Mr. McGill General

Ordinance No. 66, 1964, was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance 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 and President Wallace.

Mr. Deluse called for a second reading of General Ordinance No. 61, 1964. The Clerk read the Ordinance for a second time.

Mr. Deluse moved the Ordinance be Striken from the records, said motion being seconded by Mr. Kuykendall 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 and President Wallace.

Mr. Deluse called for a second reading of General Ordinance No. 64, 1964. The Clerk read the Ordinance for a second time.

Mr. Deluse moved General Ordinance No. 64, 1964 be Striken from the records. Mr. McGill seconded the motion 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 and President Wallace.

Mr. McGill called for a second reading of General Ordinance No. 76, 1964. The Clerk read the Ordinance for a second time.

On motion of Mr. McGill, seconded by Mr. Brydenthal General Ordinance No. 76, 1964 was Striken from the records on the following roll call vote.

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

Noes 1 viz: Mr. Kuykendall.

Mr. Brydenthal called for second reading of General Ordinance No. 78, 1964. The Clerk read the Ordinance for a second time.

Mr. Brydenthal moved that General Ordinance No. 78, 1964 be amended as follows:

The Amendment, read by the Clerk as follows:

Indianapolis, Indiana
July 20, 1964

Mr. President:

I move that General Ordinance No. 78, 1964 be amended by adding in the third line of Section 1 between the words "than" and "fifty-six" "an average of", and after the word "in" strike out "any-one" and add an "a."

MAX E. BRYDENTHAL
Councilman

On motion of Mr. Brydenthall, seconded by Mr. McGill said amendment was adopted on the following roll call vote:

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

Mr. Brydenthall moved that General Ordinance No. 78, 1964 be ordered engrossed, as amended, read a third time and placed upon its passage. Said motion was seconded by Mr. McGill.

After being read a third time by the Clerk the Ordinance as amended passed on the following roll call vote:

Ayes 6 viz: Mr. Brydenthall, Rev. Cummings, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Mr. Moriarty.

Noes 3 viz: Mr. Deluse, Mr. Egenes and President Wallace.

Mr. Brydenthall called for a second reading of General Ordinance No. 80, 1964. The Clerk read the Ordinance a second time.

On motion of Mr. Brydenthall, seconded by Mr. Deluse, General Ordinance No. 80, 1964, was ordered engrossed, read a third time and placed upon its passage. After being read by the Clerk the Ordinance passed on the following roll call vote:

Ayes 8 viz: Mr. Brydenthall, Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and President Wallace.

Noes 1 viz: Mr. Moriarty.

Mr. Moriarty called for a second reading of Special Resolution No. 4, 1964, which was read by the Clerk.

Mr. Moriarty moved that Special Resolution No. 4, 1964 be Striken from the records, said motion was seconded by Mr. McGill and passed on the following roll call vote:

Ayes 5 viz: Mr. Brydenthal, Rev. Cummings, Mr. McGill, Mr. Moriarty and President Wallace.

Noes 4 viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook and Mr. Kuykendall.

Mr. Moriarty called for a second reading of Special Resolution No. 6, 1964, which was read by the Clerk.

Mr. Moriarty moved that Special Resolution No. 6, 1964, be Striken from the records.

Mr. Brydenthal seconded the motion and the motion was defeated by the following roll call vote:

Ayes 4 viz: Mr. Brydenthal, Mr. McGill, Mr. Moriarty and President Wallace.

Noes 5 viz: Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, and Mr. Kuykendall.

On motion of Mr. Hasbrook, seconded by Mr. Kuykendall Special Resolution No. 6, 1964, was passed on the following roll call vote:

Ayes 6 viz: Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall and President Wallace.

Noes 3 viz: Mr. Brydenthal, Mr. McGill and Mr. Moriarty.

The Chair recognized Mr. Deluse who moved for suspension of rules to consider General Ordinance No. 85, 1964. The motion was seconded by Mr. Brydenthal and 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 and President Wallace.

Mr. Deluse asked for a second reading of General Ordinance No. 85, 1964. The Clerk read the Ordinance for a second time.

On motion of Mr. Deluse, seconded by Mr. McGill General Ordinance No. 85, 1964 was ordered engrossed, read a third time and placed upon its passage.

After reading by the Clerk the Ordinance 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 and President Wallace.

On motion of Mr. Deluse seconded by Mr. Kuykendall the Council adjourned at 10:15 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 20th day of July, 1964.

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

ATTEST:

Joseph C. Wallace

President

(SEAL)

Angeline Allstatt

City Clerk