

REGULAR MEETING

Monday, October 18, 1965, 7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis was held in the Council Chambers of the City-County Building on Monday, October 18, 1965, at 7:30 P.M.

President Wallace in the Chair.

Mrs. Seay, Deputy Clerk, called the roll.

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

Absent: Mr. McGill, who was out of the City.

Upon motion of Mr. Kuykendall, seconded by Mr. Deluse, the reading of the minutes of the previous meeting were dispensed with.

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

COMMUNICATION FROM THE MAYOR AND
OTHER CITY OFFICIALS

October 6, 1965

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. 33, 1965

An Ordinance appropriating the sum of Forty Thousand Dollars (\$40,000.00), from the unexpended and unappropriated balance of the Motor Vehicle Fund of the City of Indianapolis, to certain designated items and funds in the Department of Public Works, Street Commissioners and City Civil Engineering, created by virtue of the 1965 Budget, General Ordinance No. 86, 1964, as Amended, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,

JOHN J. BARTON,
Mayor

October 18, 1965

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" of hearings to be held on Monday, October 18th, 1965 an Appropriation Ordinances No. 34, No. 35, No. 36 and No. 37, 1965.

Aforesaid Appropriation Ordinances will be in full force and effect after passage by the Council, approval by the Mayor and the State Tax Board.

Respectfully submitted,

ANGELINE ALLSTATT,
City Clerk

Indianapolis, Indiana, October 18, 1965

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. 38, 1965, appropriating, transferring, reappropriating and reallocating the sum of Three Thousand Four Hundred Fifty Six Dollars (\$3,456.00), from a certain specific designated item and fund in the Department of Public Works, Street Commissioner, of the City of Indianapolis, to a certain other designated item and fund in the same Department, created by virtue of the 1965 Budget, General Ordinance No. 86, 1964, as amended, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted

DANIEL P. MORIARTY
Councilman

Indianapolis, Indiana, October 18, 1965

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. 39, 1965, appropriating the sum of Fifty-Nine Thousand Dollars (\$59,000.00), from the anticipated and unappropriated balance of the Tax Levy Fund of the City of Indianapolis, to certain other designated funds in the Redevelopment Commission, created by virtue of the 1965 Budget, General Ordinance No. 86, 1964, as amended, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY,
Councilmen

Indianapolis, Indiana, October 18, 1965

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. 109, 1965, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 9, thereof, by the addition of a new chapter and sections therein creating a Cummulative Capital Improvement Fund and directing the usage for such funds deposited therein pursuant to Chapter 225 of the Acts of the 1965 General Assembly, and fixing a time when said amendment shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

October 18, 1965

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. 14, 1965 for the annexing of certain continguous territory on Road 31 south of the City Limits as now defined.

Respectfully submitted,

A. O. DELUSE,
Councilman

Mr. Deluse moved, seconded by Mr. Brydenthal, the Council recess at 7:43 P.M. for Committee Hearings.

At that time those present were permitted to be heard on Appropriation Ordinances No. 34, No. 35, No. 36 and No. 37, 1965 and Special Ordinance No. 13, 1965.

The Council reconvened at 8:30 P.M.

President Wallace called for reading of Committee Reports.

COMMITTEE REPORTS

Indianapolis, Ind., October 18, 1965

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. 34, 1965, entitled

APPROPRIATING the sum of \$10,000.00 from the unexpended and unappropriated balance of the General Fund of the City of Indianapolis to Fund No. 72, Demolition in Department of Public Safety, Administration,

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

DANIEL P. MORIARTY, Chairman
MAX E. BRYDENTHAL
A. O. DELUSE
JAMES L. CUMMINGS

Indianapolis, Ind., October 18, 1965

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. 35, 1965, entitled

TRANSFERRING the sum of \$7,000.00 from Fund No. 32 Garage and Motor . . . \$5,000.00 and Fund No. 37 General Supplies . . . \$2,000.00 to Fund 42A Boulevard Materials in the Department of Public Parks,

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

DANIEL P. MORIARTY, Chairman
MAX E. BRYDENTHAL
A. O. DELUSE
JAMES L. CUMMINGS

Indianapolis, Ind., October 18, 1965

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. 36, 1965, entitled

APPROPRIATING the sum of \$1,000.00 from the unexpended and unappropriated balance of the General Fund, and \$1,363.00 from Fund 21, Fund 24, Fund 31, Fund 36 and Fund 52 to Funds No. 12 Temporary Salaries and Wages . . . \$1,763.00, No. 25 Repairs . . . \$200.00, No. 26 Services—Contractual . . . \$100.00 and No. 37 General Supplies . . . \$300.00 in the Office of Civil Defense

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

DANIEL P. MORIARTY, Chairman
MAX E. BRYDENTHAL
ALBERT O. DELUSE
JAMES L. CUMMINGS

October 18, 1965]

City of Indianapolis, Ind.

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Indianapolis, Ind., October 18, 1965

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. 37, 1965, entitled

TRANSFERRING the sum of \$3,000.00 from Fund 11 Salaries and Wages—Regular to Fund No. 27 Equipment in the Fire Department,

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

DANIEL P. MORIARTY, Chairman
MAX E. BRYDENTHAL
A. O. DELUSE
JAMES L. CUMMINGS

Indianapolis, Ind., October 18, 1965

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 Special Ordinance No. 13, 1965, entitled

ANNEXING certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect
Southeast corner of High School Road and the airport approach leading from I-465,

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

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

President Wallace called for first reading of New Ordinances which were read by the Deputy Clerk.

INTRODUCTION OF NEW ORDINANCES

APPROPRIATION ORDINANCE NO. 38, 1965

Introduced by Councilman Moriarty:

AN ORDINANCE appropriating, transferring, reappropriating and reallocating the sum of Three Thousand Four Hundred Fifty-Six Dollars (\$3,456.00) from a certain specific designated item and fund in the Department of Public Works, Street Commissioner, of the City of Indianapolis, to a certain other designated item and fund in the same Department, created by virtue of the 1965 Budget, General Ordinance No. 86, 1964, as amended, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, certain conditions have developed since the adoption of the existing Annual Budget, and certain monies appropriated for certain accounts of the Department of Public Works, Street Commissioner, are insufficient to meet the current needs of said Department, and

WHEREAS, certain existing appropriations for said Department now have unobligated balances which will not be needed for the purpose for which appropriated.

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

Section 1. That a certain item and fund specifically budgeted in the Department of Public Works, Street Commissioner, be and the same is hereby reduced in the following amount, to-wit:

DEPARTMENTS OF PUBLIC WORKS STREET COMMISSIONER

REDUCE:

GAS TAX

1. SERVICES—PERSONAL

12. Salaries, Anticipated Vacancies -----\$3,456.00

and said amount is transferred, reappropriated and reallocated to the following designated item and fund.

INCREASE: GAS TAX

- 1. SERVICES—PERSONAL
 - 12. Salaries and Wages—Temporary
 - 4 Heavy Equipment Operators, Temporary,
 - total 1,536 hours @ \$2.25 per hour -----\$3,456.00

Section 2. The above amount is requested by the Street Commissioner to maintain continuous operation of heavy equipment during the months of November and December.

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

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

APPROPRIATION ORDINANCE NO. 39, 1965

Introduced by Councilman Moriarty:

AN ORDINANCE, appropriating the sum of Fifty-Nine Thousand Dollars (\$59,000.00) from the anticipated and unappropriated balance of the Tax Levy Fund of the City of Indianapolis, to certain designated items and funds in the Redevelopment Commission, created by virtue of the 1965 Budget, General Ordinance No. 86, 1964, as amended, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget, so that it is necessary to appropriate more money than was appropriated in the annual budget for the operation of certain functions in the Redevelopment Commission,

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

Section 1. That the sum of Fifty-Nine Thousand Dollars (\$59,000.00) from the anticipated, unappropriated and unexpended balance in the Tax Levy Fund of the City of Indianapolis, is hereby set apart and appropriated out of said funds as follows:

REDEVELOPMENT COMMISSION

REDUCE:	TAX LEVY
The Anticipated and Unappropriated Balance of the Tax Levy Fund -----	\$59,000.00

and

INCREASE	TAX LEVY
2. SERVICES—CONTRACTUAL	
26-4 Appraisal and Witness Fees -----	\$ 3,000.00
26-7 Demolition and Land Preparation -----	8,000.00
	\$11,000.00
7. PROPERTIES	
73. Properties, Land—Improvements -----	\$48,000.00
	\$59,000.00

Section 2. That this transfer is needed to advance the program of acquisition and clearance in Project I and other projects of the Indianapolis Redevelopment Commission.

Section 3. That 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.

GENERAL ORDINANCE NO. 109, 1965

Introduced by Councilman Moriarty

AN ORDINANCE to amend the Municipal Code of Indianapolis,

1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 9 thereof by the addition of a new chapter and sections therein creating a Cumulative Capital Improvement Fund and directing the usage for such funds deposited therein pursuant to Chapter 225 of the Acts of the 1965 General Assembly, 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 9 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the addition thereto of the following Chapter 14 as follows:

CHAPTER 14
CUMULATIVE CAPITAL IMPROVEMENT FUND

Section 9-1401. CREATION OF FUND. There is hereby created in the City of Indianapolis a Cumulative Capital Improvement Fund in accordance with Chapter 225 of the Acts of the 1965 General Assembly. All taxes allocated to the City of Indianapolis pursuant to said Act and by reason of subsections 27c (1) (c) and 27 (d) of the Indiana Cigarette Tax Law, being Chapter 222 of the Acts of 1947 as amended, shall be deposited in said Cumulative Capital Improvement Fund.

Section 9-1402. USE OF FUNDS No part of the funds deposited in said Cumulative Capital Improvement Fund shall revert to the General Fund of the City of Indianapolis. All funds deposited therein shall be appropriated and used solely for capital improvements within the City of Indianapolis.

Section 9-1403. DEFINITION OF CAPITAL IMPROVEMENT. The term "capital improvement" as used herein shall mean the construction or improvement of any city-owned, operated, or occupied property, including but not limited to streets, bridges, thoroughfares and sewers, but shall not include salaries of any public officials or employees, except those directly chargeable to such improvement. Said funds may also be used to retire any General Obligation Bonds of said city issued for the purpose of construction or improvements which would have originally qualified for the use of such funds.

Section 9-1404. RESPONSIBILITY FOR FUND. The City

Treasurer (County Treasurer, ex-officio) and the City Controller shall have joint responsibility for all funds placed within said Cumulative Capital Improvement Fund, and shall act pursuant to Title 2, Chapter 4 of this Code and in accordance with the laws of the State of Indiana.

Section 2. 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 Finance.

SPECIAL ORDINANCE NO. 14, 1965

Introduced by Councilman Deluse.

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:

Lots numbered Sixty-four (64) and Sixty-five (65) in University Highlands, an Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 21, page 53, in the Office of the Recorder of Marion County, Indiana. Subject to any and all easements and/or rights-of-way of record.

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 Finance.

ORDINANCES ON SECOND READING

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 34, 1965 which was read by the Deputy Clerk for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Deluse, Appropriation Ordinance No. 34, 1965 was ordered engrossed, read a third time and placed upon its passage.

The Deputy Clerk read the Appropriation Ordinance No. 34, 1965 for a third time and it passed on the following roll call:

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

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 35, 1965.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Deluse, Appropriation Ordinance No. 35, 1965 was ordered engrossed, read a third time and placed upon its passage.

The Ordinance was read for a third time and it passed on following roll call:

Ayes 8, viz: Mr. Brydenthal, Rev. Cummings, Mr.

Egenes, Mr. Deluse, Mr. Hasbrook, Mr. Kuykendall, Mr. Moriarty and President Wallace.

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 36, 1965 which was read by the Deputy Clerk for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Kuykendall, Appropriation Ordinance No. 36, 1965 was ordered engrossed, read for a third time and placed upon its passage.

The Ordinance was read for a third time and it passed on following roll call:

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

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 37, 1965, which was read for a second time by the Deputy Clerk

Upon motion of Mr. Moriarty, seconded by Mr. Brydenthal, Appropriation Ordinance No. 37, 1965 was ordered engrossed, read a third time and placed upon its passage.

The Ordinance was read for a third time and it passed on following roll call:

Ayes 8, viz: Mr. Brydenthal, Rev. Cummings, Mr.

Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. Moriarty and President Wallace.

Mr Moriarty called for a second reading of Special Ordinance No. 13, 1965.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Deluse, Special Ordinance No. 13, 1965 was ordered engrossed, read a third time and placed upon its passage.

The ordinance was read for a third time and passed on the following roll call:

Ayes 7, viz: Rev. Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. Moriarty and President Wallace.

Noes 1, viz: Mr. Brydenthal.

President Wallace called for any Old Business to be considered.

President Wallace called for introduction of New Business and asked the Deputy Clerk to read the following Special Resolution on the tragic death of Patrolman Graham.

SPECIAL RESOLUTION

A SPECIAL RESOLUTION OF THE INDIANAPOLIS
CITY COUNCIL ON THE DEATH OF

PATROLMAN
THOMAS R. GRAHAM

WHEREAS, Patrolman Thomas R. Graham served as a member of the Indianapolis Police Force for nine years, with distinction and merit, and was a credit to the City of Indianapolis and its law enforcement body; and

WHEREAS, Patrolman Thomas R. Graham died in line of duty on October 12, 1965, and

WHEREAS, the City of Indianapolis and its Police Force have, in the death of Patrolman Thomas R. Graham, lost an efficient and loyal officer,

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

That the Common Council does hereby declare its deep regret at the untimely death of Patrolman Thomas R. Graham in line of duty, as a trusted Police Officer of the City, and does convey to the family of Patrolman Thomas R. Graham the sympathy and condolences of this Council and of the City of Indianapolis and instructs the City Clerk to insert this Resolution in the Journal of the Common Council and to send a copy of this resolution to the family of Patrolman Thomas R. Graham.

Adopted by the Common Council of the City of Indianapolis this 18th day of October, 1965.

JOSEPH C. WALLACE, President

MAX E. BRYDENTHAL

THOMAS C. HASBROOK

REV. JAMES L. CUMMINGS

RUFUS C. KUYKENDALL

ALBERT O. DELUSE

R. THOMAS MCGILL

HAROLD J. EGENES

DANIEL P. MORIARTY

ATTEST:

ANGELINE ALLSTATT, City Clerk

M. MAY SEAY, Deputy City Clerk

And the Mayor of the City of Indianapolis, Indiana joins with the Common Council in the above and foregoing Special Resolution

JOHN J. BARTON, Mayor
City of Indianapolis

President Wallace moved for adoption of the Special Resolution which was seconded by Mr. Deluse, and then President Wallace called for a Rising Vote which was unanimous.

Reverend Cummings introduced the following Special Resolution on the untimely death of Mary Miller Dale, a member of the Board of Zoning Appeals of the City.

SPECIAL RESOLUTION

A SPECIAL RESOLUTION OF THE INDIANAPOLIS
CITY COUNCIL ON THE DEATH OF

MARY MILLER DALE

1965

WHEREAS, MARY MILLER DALE has been serving as a most loyal and efficient Member of the Board of Zoning Appeals of the City of Indianapolis for some time, and

WHEREAS, MARY MILLER DALE has given unselfishly many hours of service to the city of Indianapolis and the citizens of the City, and

WHEREAS, MARY MILLER DALE has been an outstanding Attorney and Civic Minded Citizen of the City of Indianapolis for many years,

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

That the Common Council does hereby declare its deep regret at the passing of Mary Miller Dale and does further convey to the family of Mary Miller Dale the sympathy and condolences of the Common Council and the City of Indianapolis and instructs the City Clerk to spread a copy of this Resolution in the Journal of the Common Council and to send a copy of this Special Resolution to the family of Mary Miller Dale.

Adopted by the Common Council of the City of Indianapolis this 18th day of October, 1965.

	JOSEPH C. WALLACE, President
MAX E. BRYDENTHAL	THOMAS C. HASBROOK
REV. JAMES L. CUMMINGS	RUFUS C. KUYKENDALL
ALBERT O. DELUSE	R. THOMAS MCGILL
HAROLD J. EGENES	DANIEL P. MORIARTY

ATTEST:
 ANGELINE ALLSTATT, City Clerk
 M. MAY SEAY, Deputy City Clerk

And the Mayor of the City of Indianapolis, Indiana joins with the Common Council in the above and foregoing Special Resolution

JOHN J. BARTON, Mayor
 City of Indianapolis

Reverend Cummings moved for adoption of the Resolution which was seconded by Mr. Deluse and President Wallace called for a Rising Vote which was unanimous.

Upon motion of Mr. Deluse, seconded by Mr. Kuykendall, the Council adjourned at 8:45 P.M. upon unanimous vote.

We hereby certify that the above and foregoing is a full and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 18th day of October, 1965 at 7:30 P.M.

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

Joseph C. Wallace

ATTEST:

President

M. May Seay

(SEAL)

Deputy City Clerk