

REGULAR MEETING

Monday, October 3, 1966, 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 3, 1966 at 7:30 P.M.

President Wallace in the Chair.

The Deputy Clerk called the roll.

Present: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

Absent: Mr. Brydenthal, who is ill.

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

President Wallace asked the Deputy Clerk to read the Communications from the Mayor and other City Officials.

COMMUNICATIONS FROM THE MAYOR  
AND OTHER CITY OFFICIALS

September 21, 1966

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:

SPECIAL RESOLUTION NO. 9, 1966

A Special Resolution petitioning the Governor and the nominees to the Indiana General Assembly to reimburse cities for services provided for which they receive no reimbursement.

APPROPRIATION ORDINANCE NO. 36, 1966

An Ordinance transferring, reappropriating and reallocating the sum of Ten Thousand Dollars (\$10,000.00) from a certain specific designated item and fund in the Fire Department, Board of Public Safety, of the City of Indianapolis, to a certain other designated item and fund in the same department, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 37, 1966

An Ordinance appropriating the sum of Two Hundred Thousand Dollars (\$200,000.00) from the 1966 Anticipated unappropriated and unexpended balance of the Motor Vehicle Highway General Fund of the City of Indianapolis to certain other designated items and funds in the Department of Public Works and to certain other designated items and funds in the Department of Public Safety, created by virtue of the 1966 Budget General Ordinance 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 109, 1966 (AS AMENDED)

An Ordinance requiring travelers on 2 wheel motor cycles, motor scooters and other vehicles of the same general class to wear a crash helmet while traveling on the public streets and thoroughfares within the corporate limits of the City of Indianapolis, providing a penalty for the violation thereof and fixing a time when the same shall take effect

GENERAL ORDINANCE NO. 111, 1966

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.

GENERAL ORDINANCE NO, 112,1966

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.

GENERAL ORDINANCE NO 113, 1966

An Ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 13 thereof, by the addition of subsections to Section 4-1304 prohibiting trucks on certain streets at any time providing a penalty for the violation of same and fixing a time when said amendments shall take effect.

GENERAL ORDINANCE NO. 114, 1966, (AS AMENDED)

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 4-812 prohibiting parking on certain streets at all times, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

## GENERAL ORDINANCE NO, 116, 1966

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 number to Section 4-814.1 prohibiting parking stopping or standing on certain designated streets at any and all times, and fixing a time when said amendment shall take effect.

## GENERAL ORDINANCE NO, 117, 1966

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 4-602 designating certain streets as one-way streets and prohibiting vehicular movement in the opposite direction thereon, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

## GENERAL ORDINANCE NO. 118, 1966

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., except Saturdays and Sundays, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

## GENERAL ORDINANCE NO. 119, 1966

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 subsection number 64 to Section 4-822 which limits parking to one and one half hours between 7:00 A.M. and 6:00 P.M., except Sundays on certain streets, and fixing a time when said amendment shall take effect.

## GENERAL ORDINANCE NO. 120, 1966

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 subsection number 3 to Section 4-821 (a), prohibiting parking, stopping or standing on certain streets between 3:00 P.M. and 6:00 P.M., except Saturdays and Sundays, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 121, 1966

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 4-812 prohibiting parking on certain streets at all times, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 122, 1966

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 certain subsections to Section 4-602, which designates certain streets and alleys as one-way, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 123, 1966

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. 124, 1966

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 4-812, prohibiting parking on certain streets at all times, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

Respectfully submitted,  
JOHN J. BARTON,  
Mayor

October 3, 1966

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 September 23, 1966, and again on Friday September 30, 1966 'Notice to Taxpayers' of a public hearing on Appropriation Ordinances No. 38, 1966 and No. 39, 1966 to be held on October 3, 1966.

Also caused to be published according to the laws of the State of Indiana General Ordinances No. 93, 1966 to and including General Ordinances No. 108, 1966 in the Indianapolis News and the Indianapolis Commercial on Thursday September 22, 1966 and again on Thursday September 29, 1966.

Published also according to law on Monday September 26 and again on Monday October 3, 1966 in the Indianapolis News and the Indianapolis Commercial General Ordinance No. 109, As Amended, General Ordinance No. 113, General Ordinance No. 114, As Amended, also General Ordinances No. 116 to and including General Ordinance No. 124, 1966.

Respectfully submitted,  
ANGELINE ALLSTATT,  
City Clerk

October 3, 1966

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. 40, 1966, transferring, reappropriating and reallocating the sum of Thirty Three Thousand Four Hundred Fifty Dollars (\$33,450.00) from a certain specific designated items and

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funds in the Department of Public Parks to a certain other designated items and funds in the same Department, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY  
Councilman

October 3, 1966

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. 41, 1966, transferring, reappropriating and reallocating the sum of Five Thousand Dollars (\$5,000.00) from certain specific designated item and fund in the Board of Public Works of the City of Indianapolis, to a certain other designated item and fund in the same Department, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY,  
Councilman

October 3, 1966

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. 132, 1966, providing that plans and specifications for the

construction of public buildings in the City of Indianapolis, shall provide certain features and facilities for the physically handicapped.

Respectfully submitted,

THOMAS C. HASBROOK  
Councilman

October 3, 1966

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. 6, 1966, 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,

HAROLD J. EGENES  
Councilman

October 3, 1966

Honorable Joseph C. Wallace, President  
and Members of the Common Council  
City of Indianapolis  
Indianapolis, Indiana

Gentlemen:

The 1966 Marion County Tax Review Board will publish and certify to the State of Indiana Board of Tax Commissioners a rate reduction in the Indianapolis City General Fund amounting to \$ .03c, or \$260,000.00.

The Common Council, being the last review body acting upon and approving the 1967 budget, must now choose to:



1. Accept the reduction and apply same to specific departments and items or on a proportionate basis to all departments, or
2. Appeal the County Board's action to the State Board of Tax Commissioners in not more than ten (10) days after the County Auditor's published certification of tax levies and rates.

This office is prepared to assist in whatever action the Council deems advisable.

Respectfully submitted,

D. L. ROBINSON  
City Controller

There was also a reduction of \$25,000 ordered by the Marion County Tax Review Board in Redevelopment, said amount to be placed in anticipated vacancies. This information was relayed to me by Fred Armstrong, County Auditor's Office.

MAY SEAY  
Deputy City Clerk

Upon motion of Mr. Kuykendall, seconded by Mr. McGill, the meeting recessed at 7:45 P.M. for Committee Hearings.

At that time those present were permitted to be heard on Appropriation Ordinances No. 38 and No. 39, 1966, General Ordinance No. 125, 1966 to and including General Ordinance No. 131, 1966. Also Special Ordinance No. 5, 1966.

The Council reconvened at 8:45 P.M.

President Wallace asked the Deputy Clerk to read the Committee Reports.

Indianapolis, Ind., October 3, 1966

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. 38, 1966, entitled

TRANSFERRING the sum of \$5,121.00 from Funds 21, 24, 25, 36, 37, 52 and 72 to Fund No. 12—\$3,121.00, No. 26—\$1,700.00 and No. 32—\$300.00 in the Department 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  
A. O. DELUSE  
THOMAS P. SLEET

Indianapolis, Ind., October 3, 1966

To the Honorable 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. 39, 1966, entitled

TRANSFERRING the sum of \$1,900.00 from Fund No. 26-4 and No. 57 to Fund 21—\$1,200.00 and No. 52—\$700.00 in the Department of Redevelopment

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

DANIEL P. MORIARTY, Chairman  
ALBERT O. DELUSE  
R. THOMAS MCGILL

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Indianapolis, Ind., October 3, 1966

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. 5, 1966, entitled

ANNEXING 55.272 acres to the City of Indianapolis . . . Beginning on the west at the entrance to Weir Cook Airport on High School Road and extending east on, along and including the entire Airport Expressway to the Interstate 70 interchange as now under construction

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

DANIEL P. MORIARTY, Chairman  
ALBERT O. DELUSE  
THOMAS P. SLEET

Indianapolis, Ind., October 3, 1966

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. 125, 1966, entitled

ESTABLISHING a passenger and/or loading zone for the occupancy of Hulskamp Saw Works

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

R. THOMAS MCGILL, Chairman  
THOMAS P. SLEET  
RUFUS C. KUYKENDALL

Indianapolis, Ind., October 3, 1966

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. 126, 1966, entitled

PROHIBITING parking from 8:00 to 9:00 A.M. on . . . Rembrandt Street west side from First Alley South of 21st Street to Second Alley South of 21st Street

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

ALBERT O. DELUSE, Chairman  
R. THOMAS MCGILL  
HAROLD J. EGENES

Indianapolis, Ind., October 3, 1966

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. 127, 1966, entitled

ADDITION of a new Section, 4-846 (1) prohibiting parking between 4:00 and 5:00 P.M. on . . . Rembrandt Street west side from first alley south of 21st Street to second alley south of 21st Street

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

A. O. DELUSE, Chairman  
R. THOMAS MCGILL  
DANIEL P. MORIARTY

Indianapolis, Ind., October 3, 1966

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

Gentlemen:

We your Committee on Elections to whom was referred General Ordinance No. 128, 1966, entitled

DELETION and repeal of subsection number 452 to Section 4-812, prohibiting parking at all times on . . . 38th Street both sides from Northwestern Avenue to Capitol Avenue

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

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

Indianapolis, Ind., October 3, 1966

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

Gentlemen:

We, your Committee on Elections to whom was referred General Ordinance No. 129, 1966, entitled

ADDITION of subsections to Section 4-812, prohibiting parking at all times on certain streets . . .

38th Street north side from Northwestern Avenue to Clarendon Road

38th Street south side from Northwestern Avenue to Boulevard Place

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

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

Indianapolis, Ind., October 3, 1966

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

Gentlemen:

We, your Committee on Elections to whom was referred General Ordinance No. 130, 1966, entitled

ADDITION of subsections to Section 4-821 (a), prohibiting parking between 3:00 and 6:00 P.M. on . . .

38th Street south side from Boulevard Place to Capitol Avenue;

38th Street north side from Clarendon Road to Capitol Avenue

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

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

Indianapolis, Ind., October 3, 1966

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

Gentlemen:

We, your Committee on Elections to whom was referred General Ordinance No. 131, 1966, entitled

ADDITION of subsections to Section 4-834, prohibiting parking from 6:00 to 9:00 A.M. on . . .

38th Street south side from Boulevard Place to Capitol Avenue;

38th Street north side from Clarendon Road to Capitol Avenue

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

HAROLD J. EGENES, Chairman  
A. O. DELUSE  
R. THOMAS McGILL  
THOMAS P. SLEET  
RUFUS C. KUYKENDALL

President Wallace called for first reading of New Ordinances to be Introduced.

INTRODUCTION OF NEW ORDINANCES

APPROPRIATION ORDINANCE NO. 40, 1966

Introduced by Councilman Moriarty:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Thirty-three Thousand Four Hundred Fifty (\$33,450.00) Dollars from certain specific designated items and funds in the Department of Public Parks to certain other designated items and funds in the same Department created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, 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, and certain monies ap-

propriated for certain accounts of the Department of Public Parks are insufficient to meet current needs of the Department, and

WHEREAS, certain existing appropriations for said Department now have unobligated balances which will not be needed for the purposes for which appropriated; and

WHEREAS, it is now necessary to purchase four (4), six passenger pick-up trucks, ten radios for trucks, and automobiles, and one (1) ten speed selectromatic tractor, and

WHEREAS, it is now necessary to purchase certain material for the remaining construction for the year 1966.

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 Park Department be and the same is hereby reduced in the following amount, to-wit:

DEPARTMENT OF PUBLIC PARKS

REDUCE:	MVHF
2. SERVICES CONTRACTUAL	
26. Other Contractual Services -----	\$33,450.00

and said amount is transferred therefrom, reappropriated and reallocated to the following item and fund:

INCREASE:	
4. MATERIALS	
42. Street, Alley and Sewer Materials -----	\$15,000.00
7. PROPERTIES	
72. Equipment -----	\$18,450.00
	<hr/>
	\$33,450.00

Section 2. The above appropriation is of an emergency nature due to the necessity of purchasing the aforementioned items.

Section 3. This ordinance shall be in full force and effect from and



after its passage, approval by the Mayor, and publication as required by law.

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

APPROPRIATION ORDINANCE NO. 41, 1966

Introduced by Councilman Moriarty:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Five Thousand Dollars (\$5,000.00) from a certain specific designated item and fund in the Board of Public Works of the City of Indianapolis, to a certain other designated item and fund in the same Department, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, 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, and certain monies appropriated for certain accounts of the Board of Public Works are insufficient to meet current needs of the Department, and

WHEREAS, it is now necessary to purchase a sufficient quantity of gasoline to operate the City fleet for the balance of the year 1966.

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

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 Board of Public Works and the same is hereby reduced in the following amount, to-wit:

## BOARD OF PUBLIC WORKS

## Municipal Garage

REDUCE:	TAX LEVY
2. SERVICES CONTRACTUAL	
25. Repairs -----	\$5,000.00

and said amount is transferred therefrom, reappropriated and re-allocated to the following item and fund:

INCREASE:	TAX LEVY
3. SUPPLIES	
32. Garage and Motor -----	\$5,000.00

Section 2. The above appropriation is of an emergency nature due to the necessity to purchase gasoline for the City Fleet for the balance of the year 1966.

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

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

## GENERAL ORDINANCE NO. 132, 1966

Introduced by Councilman Hasbrook:

AN ORDINANCE providing that plans and specifications for the construction of public buildings in the City of Indianapolis, shall provide certain features and facilities for the physically handicapped.

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

Section 1. There is hereby added to the provisions of the Building Code of Indianapolis, the following general provision:

"All plans and specifications for the construction of public buildings by the State or any County or Municipality or any Public Corporation or any Administrative Board or Authority in the City of Indianapolis, shall provide facilities and features for the physically impaired insofar as is financially reasonable in the opinion of said contracting authority, and such facilities shall conform with the "American Standards Specification for making buildings and facilities accessible to, and usable by the physically handicapped" (U.S. Patent A177.1-1961), as approved October 31, 1961, by the American Standards Association and as may from time to time be amended by said American Standards Association."

Section 2. The responsibility for enforcement of this Act shall vest in the Building Commissioner of Indianapolis, but where funds of counties or other political corporations, authorities or subdivisions are involved, it shall be the governing body of such subdivision or other public unit.

Section 3. This Act shall become effective after its passage and approval by the Mayor.

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

SPECIAL ORDINANCE NO. 6, 1966

Introduced by Councilman Egenes:

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 September 12, 1966, 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 an Elementary School 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 not less than its appraised value, such value to be determined by appraisers appointed by the Circuit Court of Marion County, 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 northwest corner of Dawson and LeGrande Streets, for its appraised value, after the same has been appraised by appraisers appointed by the Marion County Circuit Court, said Real Estate being more particularly described as follows:

Beginning at the point of intersection of the North right-of-way line of LeGrande Street and the West right-of-way line of Dawson Street, as said two streets are now established in the City of Indianapolis, Indiana; thence in a Northerly direction, on and along said West right-of-way line of Dawson Street, 424.2 feet to a point; thence in the Westerly direction, along a line that is perpendicular to said West right-of-way line

of Dawson Street, 421.5 feet to a point; thence in a Southerly direction, along a line that is perpendicular to the last described line, 424.2 feet, more or less, to a point on said North right-of-way line of LeGrande Street; thence in an Easterly direction, on and along said North right-of-way line of LeGrande Street, 421.5 feet, more or less, to the point of beginning; containing in all 4.1 acres, more or less.

Section 2. That in payment therefor, the Board of Park Commissioners of the City of Indianapolis be, and it is hereby authorized, directed and empowered to accept not less than the appraised value of said land, such appraised value to be determined by appraisers appointed by the Circuit Court of Marion County, from the Board of School Commissioners of the City of Indianapolis.

Section 3. The sale of said real estate shall be for public school 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 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 on 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 Elections.

#### ORDINANCES ON SECOND READING

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 38, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Deluse, Appropriation Ordinance No. 38, 1966 was ordered engrossed, read a third time and placed upon its passage.

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

Ayes 7, viz: Mr. Deluse, Mr. Egenes, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

Noes 1, viz: Mr. Hasbrook.

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 39, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Deluse, Appropriation Ordinance No. 39, 1966 was ordered engrossed, read a third time and placed upon its passage.

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

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

Mr. Moriarty called for a second reading of Special Ordinance No. 5, 1966.

The Deputy Clerk read the Ordinance for a second time.

Mr. Moriarty moved, seconded by Mr. McGill, that Special Ordinance No. 5, 1966 be Amended, as follows:

Indianapolis, Ind., September 19, 1966

Mr. President:

I move that Special Ordinance No. 5, 1966 be amended as follows:

Page 1, Line 13—Strike out the figures “24°26’54”” and insert in lieu thereof “24°56’54.”

Page 1, Line 31—Strike out the figures “700.00” and insert in lieu thereof “70.00.”

Page 3, Line 1—Immediately preceding the word “Research” insert the word “proposed.”

Page 3, Line 5—Immediately preceding the word “Research” insert the word “proposed.”

Page 3, Line 10—Immediately preceding the word “Executive” insert the word “proposed.”

Page 3, Line 12—Immediately preceding the word “Executive” insert the word “proposed.”

Page 3, Line 14—Immediately preceding the word “Executive” insert the word “proposed.”

Page 3, Line 15—Immediately preceding the word “Executive” insert the word “proposed.”

Page 3, Line 42—Immediately preceding the word “Research” insert the word “proposed.”

Page 3, Line 45—Immediately preceding the word “Research” insert the word “proposed.”

Page 3, Line 48—Immediately preceding the word “Research” insert the word “proposed.”

DANIEL P. MORIARTY, Councilman



The Amendment passed on the following roll call:

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

Upon motion of Mr. Moriarty, seconded by Mr. McGill, Special Ordinance No. 5, 1966, as Amended, was ordered engrossed, read a third time and placed upon its passage.

The Ordinance, as Amended, was read for a third time and passed on the following roll call:

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

Mr. McGill called for a second reading of General Ordinance No. 125, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. McGill, seconded by Mr. Kuykendall, General Ordinance No. 125, 1966 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

Mr. Deluse called for a second reading of General Ordinance No. 126, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Deluse, seconded by Mr. McGill, General Ordinance No. 126, 1966 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

Mr. Deluse called for a second reading of General Ordinance No. 127, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Deluse, seconded by Mr. Kuykendall, General Ordinance No. 127, 1966 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

Mr. Egenes called for a second reading of General Ordinance No. 128, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Egenes, seconded by Mr. Hasbrook, General Ordinance No. 128, 1966, 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

Mr. Egenes called for a second reading of General Ordinance No. 129, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Egenes, seconded by Mr. Hasbrook, General Ordinance No. 129, 1966 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

Mr. Egenes called for a second reading of General Ordinance No. 130, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Egenes, seconded by Mr. Hasbrook, General Ordinance No. 130, 1966 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

Mr. Egenes called for a second reading of General Ordinance No. 131, 1966.

The Deputy Clerk read the Ordinance for a second time.

Upon motion of Mr. Egenes, seconded by Mr. Hasbrook, General Ordinance No. 131, 1966 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 8, viz: Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill, Mr. Moriarty, Mr. Sleet and President Wallace.

President Wallace asked if there was any new business or old business to be considered.

### OLD BUSINESS

Mr. Deluse moved that a Resolution be passed to appeal the decision of the Marion County Tax Review Board to the State Tax Board. The reason for appeal being the cut of \$260,000.00 ordered by Marion County Tax Review Board applied only to City General which Mr. Deluse felt was unjust.

The motion was seconded by Mr. Kuykendall and passed on the following roll call:

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

Mr. McGill placed in nomination the name of Reverend Wilbur Harvey of 2433 South State Avenue, Pastor of the Garfield Christian Church, for appointment to the Human Rights Commission. The nomination was seconded by Mr. Deluse and Reverend Harvey was unanimously approved on a voice vote.

Upon motion of Mr. Kuykendall, seconded by Mr. Deluse, the Council adjourned at 9:28 P.M. upon unanimous voice 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 3rd day of October, 1966 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*