

REGULAR MEETING

Monday, February 5, 1968, 7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis convened in the Council Chamber of the City-County Building at 7:30 P.M. on Monday, February 5, 1968.

President Hasbrook in the chair.

The Clerk called the roll:

Present: Mr. Broderick, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. Williams, and President Hasbrook.

Absent: Mr. Forestal.

Mr. Egenes moved that the Council dispense with the reading of the journal of the previous meeting. Mr. Moriarty seconded the motion.

President Hasbrook called for the reading of communications from the Mayor and other City Officials.

Indianapolis, Ind., February 5, 1968

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. Marjorie H. O'Laughlin, the following City Ordinances:

APPROPRIATION ORDINANCE NO. 1, 1968

An Ordinance appropriating, transferring, reappropriating and reallocating the sum of Forty-two Thousand One Hundred Thirty-five Dollars (\$42,135.00) from certain funds in the Department of Service and Information, the Board of Public Works, Municipal Garage, Department of Finance, City Controller, and the Department of Civil Defense.

APPROPRIATION ORDINANCE NO. 2, 1968

An Ordinance appropriating, transferring, reappropriating and reallocating the sum of Six Hundred Thousand Dollars (\$600,000.00) from certain funds.

APPROPRIATION ORDINANCE NO. 3, 1968

An Ordinance appropriating, transferring, reappropriating and reallocating the sum of Four Hundred Twenty-six Thousand, One Hundred and five Dollars (\$426,105.00) from certain funds.

Respectfully

RICHARD G. LUGAR
Mayor

February 5, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance 3, 1968, to amend the Municipal Code of Indianapolis, 1951, General Ordinance 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 street and prohibiting vehicular movement in the opposite direction thereof, providing a penalty for the violation of same, and fixing a time when said amendment shall take effect.

Respectfully submitted,

JOE T. GORHAM
Councilman

February 5, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance 4, 1968, 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,

LAWRENCE F. BRODERICK
Councilman

February 5, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance 5, 1968 to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof by the repeal of Section 4-809, "Parking for longer than six hours restricted," and fixing a time when the same shall take effect.

Respectfully submitted,

LAWRENCE F. BRODERICK
Councilman

February 5, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance No. 6, 1968, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 7, Chapter 17, thereof, by the amendment of Section 7-1702(3) limiting the number of taxicabs within the City, providing penalties for the violation of same and fixing a time when said amendment shall take effect.

Respectfully submitted,

REV. ANDREW L. WILLIAMS
Councilman

February 5, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance 7, 1968, to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, by the deletion and repeal of Subsection 14, Title 7, Chapter 2, Section 7-202(2) Section 7-804 Title 7, Chapter 8, and fixing a time when said Amendment shall take effect.

Respectfully submitted,

DONALD R. McPHERSON
Councilman

February 5, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Resolution No. 1, 1968, providing that residents in the area from 17th Street to 21st Street, Broadway and Park Avenue, be given an opportunity to participate in the planning of a Park in that area.

Respectfully submitted,

HAROLD J. EGENES
Councilman

February 5, 1968

Honorable Richard G. Lugar, Mayor of the City of Indianapolis

Harold H. Kohlmeyer, Jr., Corporation Counsel

Appropriation Ordinance No. 5, 1968

The snow emergency appropriation ordinance for road salt and calcium, being Appropriation Ordinance No. 5, 1968, as amended, and passed under suspension of the rules during the January 15, 1968, meeting of the Indianapolis City Council, to take effect

“* * * from and after its passage, approval by the

Mayor and publication as required by law.”

was not published in the manner required for publication of the budget, ten (10) days before public hearing and appropriation, as required by the Acts of 1919, Ch. 59, Sec. 200, as amended and found in Burns' (1961 Repl.), Section 64-1914, by Court interpretation applied to emergency appropriations, although no more total money would be spent for the current year than budgeted. (See: Johnson v. Lenz (1936), 209 Ind. 62 200 N.E. 249.)

Therefore, it is my opinion that passage of such appropriation ordinance under suspension of the rules was void.

HAROLD H. KOHLMAYER, JR.

cc: The Honorable Thomas Hasbrook, President
Indianapolis City Council

The Honorable Marjorie H. O'Laughlin, City Clerk

President Hasbrook moved that the Council recess for Committee Hearings, seconded by Mr. Gorham at 7:50 P.M.

During the recess President Hasbrook excused Reverend Williams.

The Council reconvened at 9:10 P.M.

COMMITTEE REPORTS

Indianapolis, Ind., February 5, 1968

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 1, 1968, entitled

AN ORDINANCE, ratifying, confirming and approving the contracts for tow-in services for the year 1968

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

HAROLD J. EGENES, Chairman
DONALD R. McPHERSON
WILLIAM A. LEAK

Indianapolis, Ind., February 5, 1968

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

Gentlemen:

We, your Committee on Public Safety to whom was referred
General Ordinance No. 2, 1968, entitled

AN ORDINANCE, to amend the Municipal Code of Indianapolis,
1951, and more particularly Title 4, Chapter 13, Section 4-1304

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

HAROLD J. EGENES, Chairman
DONALD R. McPHERSON
WILLIAM A. LEAK

President Hasbrook called for introduction of New
Ordinances.

INTRODUCTION OF NEW ORDINANCES

GENERAL ORDINANCE 3, 1968

Introduced by Councilman Gorham:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951,
General Ordinance 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 prohibi-
ting vehicular movement in the opposite direction thereof, 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 6, Section 4-602 of the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, be amended by the addition thereto of the following subsection as follows:

No.	Street	From	To	Direction Traffic Shall Move
183	St. Patrick St.	Prospect St.	Woodlawn St.	North

Section 2. This amendment shall be subject to the penalties as provided in Title 4, Chapter 6, Section 1-601 of the Municipal Code of Indianapolis, 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 4, 1968

Introduced by Councilman Broderick:

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 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 140, 1951, as amended, Section 4-1001, 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:

Section 4-1001

No. 235 60 feet - 60 North Capitol Avenue
 William H. Block Company

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 Law and Judiciary.

GENERAL ORDINANCE 5, 1968

Introduced by Councilman Broderick:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof by the repeal of Section 4-809, Parking for longer than six hours restricted, 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 Section 4-809, Title 4, Chapter 8, thereof is hereby repealed.

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 Safety.

GENERAL ORDINANCE 6, 1968

Introduced by Councilman Williams:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 7, Chapter 17 thereof, by the amendment of Section 7-1702(3) limiting the number of taxicabs within the City, providing penalties for the violation of same and fixing a time when said amendment shall take effect.

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

Section 1. That Title 7, Chapter 17, Section 7-1702(3) of the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, which now reads as follows:

“7-1702(3) It is hereby declared by the Common Council that the public welfare, safety, convenience and necessity will be conserved by a more rigid control over all licenses and also by limiting the number of motor taxicabs, now and hereafter to be operated in the city. That hereafter, in order to provide adequate service for all persons ordinarily using the same, there may be a total of Four Hundred Eight-one (481) such taxicabs so operating; all of such licenses, however, to be subject to any provisions or exceptions and limitations that may be prescribed by this Chapter, Title and Code, or by any later ordinances, or by any statutes.”

be amended to read as follows:

“7-1702(3) It is hereby declared by the Common Council that the public welfare, safety, convenience and necessity will be conserved by a more rigid control over all licenses and also by limiting the number of motor taxicabs, now and hereafter to be operated in the city. That hereafter, in order to provide adequate service for all persons ordinarily using the same, there may be a total of Six Hundred (600) such taxicabs so operating; all of such licenses, however, to be subject to any provisions or exceptions and limitations that may be prescribed by this Chapter, Title and Code, or by any later ordinance, or by any statutes.”

Section 2. This amendment shall be subject to the penalties as

provided in Title 7, Chapter 17, Section 7-1729 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 Safety.

GENERAL ORDINANCE NO. 7, 1968

Introduced by Councilman McPherson:

AN ORDINANCE to amend the Municipal Code, 1951, of the City of Indianapolis, General Ordinance No. 140, 1951, as amended by the General Ordinances 97 and 98, 1954, more particularly cited as Title 7 Chapters 2 and 8 thereof by the deletion and repeal of the following:

I. Title 7, Chapter 2, Section 7-202(2), Subsection 14, Dances (G.O. 140, 1951 as amended by G.O. 97, 1954)

“ . . . must provide an approved matron in attendance and must pay her fee of . . . \$10.00”

II. Title 7, Chapter 8, Section 7-804. Matron (G.O. 140, 1951, as amended by G.O. 98, 1954) prohibiting the conducting of a dance or ball in the City for which a permit from the City is required, without the presence of a matron duly designated by the Chief of Police;

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 7, Chapter 2, sec. 702(2), Subsection 14 of the Municipal Code, 1951, of the City of Indianapolis, General Ordinances 140, 1951 and its amendment, General Ordinance 97, 1954, be amended by repeal and deletion therefrom of the following language:

“. . . must provide an approved matron in attendance, and must pay her fee of . . . \$10.00”

Section 2. That Title 7, Chapter 8, Section 7-804 of the Municipal Code, 1951, General Ordinance 140, 1951 and its amendment, General Ordinance 98, 1954, be repealed in their entireties.

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 Safety.

ORDINANCES ON SECOND READING

Mr. Egenes called for a second reading of General Ordinance No. 1, 1968.

The Clerk read the Ordinance for a second time.

Mr. Moriarty made a motion to postpone passage of General Ordinance No. 1, 1968 until the next meeting, seconded by Mr. Broderick.

The motion failed on the following roll call vote:

Ayes 2, viz: Mr. Broderick, Mr. Moriarty.

Noes 6, viz: Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Rev. Williams, and President Hasbrook.

On motion of Mr. Egenes, seconded by Mr. Leak, General Ordinance No. 1, 1968 was ordered engrossed, read a third time and placed upon its passage.

After third reading the Ordinance passed on the following roll call vote:

Ayes 7, viz: Mr. Broderick, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Moriarty.

Mr. Egenes called for a second reading of General Ordinance No. 2, 1968.

The Clerk read the Ordinance for a second time.

Mr. Egenes moved that General Ordinance No. 2, 1968 be amended as follows:

Indianapolis, Ind., February 5, 1968

Mr. President:

I move that General Ordinance No. 2, 1968, be amended by striking out the period (.) at end of subsection (b), and inserting in lieu thereof the following: by reason of being a state highway.

HAROLD J. EGENES, Councilman

The Amendment was passed by unanimous vote of those present.

On motion of Mr. Egenes, seconded by Mr. Leak, General Ordinance No. 2, 1968, As Amended, was ordered engrossed, read a third time and placed upon its passage.

After third reading the Ordinance was passed, as amended, on the following roll call vote:

Ayes 8, viz: Mr. Broderick, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams, and President Hasbrook.

UNFINISHED BUSINESS

Appropriation Ordinance No. 4, 1968.

A motion was made by Mr. Leak, seconded by Mr. Egenes, to strike Appropriation Ordinance No. 4, 1968.

The motion was passed on the following roll call vote:

Ayes 8, viz: Mr. Broderick, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams, and President Hasbrook.

Appropriation Ordinance No. 5, 1968.

Mr. Leak made a motion, seconded by Mr. Gorham to accept the report from the Corporation Council on Appropriation Ordinance No. 5, 1968 which was passed by unanimous vote of those present.

Mr. Leak made a motion, seconded by Mr. Egenes to reconsider the vote on Appropriation Ordinance No. 5, 1968, which was passed by unanimous vote of those present.

Mr. Leak moved, seconded by Mr. Egenes, to strike Appropriation Ordinance No. 5, 1968, from the records, which was passed on the following roll call vote:

Ayes 8, viz: Mr. Broderick, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams, and President Hasbrook.

NEW BUSINESS

RESOLUTION NO. 1, 1968

Introduced by Councilman Egenes:

WHEREAS, the Department of Public Parks is planning a park from 17th and 21st and Broadway to Park which requires the acquisition of 92 contiguous parcels of land, which according to the most recent figures available affect 218 families representing 842 individuals, and

WHEREAS, the acquisition of this land will displace the residents of these properties and require the relocation of these residents, and

WHEREAS, we recognize the need for additional park and recreational facilities, yet we recognize the more important basic need for housing, and

WHEREAS, it is imperative that the citizens living in the area of any proposed public project be included in the planning of the project so that the end result is compatible with the needs and desires of the neighborhood,

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

Section 1. That the park at 17th and Broadway be allowed to proceed only at the pace that is dictated by the following criteria:

- a. Each and every resident, tenant or property owner is satisfactorily relocated in a comparable or superior facility to that of his present living quarters,
- b. Each and every resident, tenant or owner is provided with adequate financial support to defray his moving expense,
- c. The price paid for such parcel and improvement thereon is the fair value as ascertained by a competent appraising system,

Sec. 2. That the residents of this area be given an opportunity to participate in the planning of the project.

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

On motion of Mr. Egenes, seconded by Mr. Leak, Resolution No. 1, 1968 was adopted by the following roll call vote:

Ayes 8, viz: Mr. Broderick, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams, and President Hasbrook.

Mr. Egenes made a report on the proceedings of the Mass Transportation Authority meeting.

Mr. Egenes moved, seconded by Rev. Williams, that the Chair direct a letter to Clint's Wrecker Service informing them of their need to comply with the law.

On motion of Mr. Egenes, seconded by Mr. Moriarty the Council adjourned at 10:00 P.M.

We hereby certify the above and foregoing is a full and complete record of the proceedings of the Common Council of Indianapolis held on the 5th day of February, 1968 at 7:30 P.M.

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



President

ATTEST:



(SEAL)

City Clerk