

REGULAR MEETING

Monday, March 18, 1968

The regular meeting of the Common Council of the City of Indianapolis convened in the Council Chambers of the City-County Building at 7:30 P.M. on Monday, March 18, 1968.

President Hasbrook in the chair.

The Clerk called the roll.

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

President Hasbrook issued an invitation from the leader of the Sing Out Mid-West Group, to the Council Members and guests to attend a brief performance in the Public Auditorium.

On motion of Mr. Egenes, seconded by Mr. Gorham, Council recessed at 7:40 P.M., to hear the program.

The Council reconvened at 8:12 P.M.

Mr. Leak moved that the Council dispense with the reading of the Journal of the previous meeting. Mr. Forestal seconded the motion.

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

COMMUNICATIONS FROM THE MAYOR AND
OTHER CITY OFFICIALS

March 6, 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 Ordinance:

APPROPRIATION ORDINANCE NO. 6, 1968

An Ordinance transferring, reappropriating and reallocating the sum of Twenty-eight thousand two hundred thirty-four dollars and eighty-five cents (\$28,234.85) from the anticipated, unexpended and unappropriated balance of the City General Fund, as created by funds to be received from Marion County in payment for microfilm service and from certain designated items and funds in the Board of Public Works of the City of Indianapolis created by virtue of the 1968 Budget, General Ordinance 97, 1967, as amended, declaring emergency, and fixing a time when same shall take effect.

Respectfully submitted,

RICHARD G. LUGAR
Mayor, City of Indianapolis

March 18, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance 14, 1968, authorizing the execution of an intergovernmental

agreement between the City of Indianapolis and the Mass Transportation Authority of Greater Indianapolis, and fixing a time when the same shall take effect.

Respectfully submitted,

HAROLD J. EGENES
JEROME FORESTAL
Councilmen

March 18, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance 15, 1968, as amended, and more particularly Title 7, Chapter 17, Providing for the Regulation of Taxicabs, and fixing a time when the same shall take effect.

Respectfully submitted,

WILLIAM A. LEAK
Councilman

March 18, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance 16, 1968, to amend the Municipal Code of Indianapolis, 1951, and more particularly Title 7, Chapter 17, providing for the Regulation of Taxicabs, and fixing a time when the same shall take effect.

Respectfully submitted,

WILLIAM A. LEAK
Councilman

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 1, 1968, annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully submitted,

HAROLD J. EGENES
Councilman

March 18, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 2, 1968, annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully submitted,

HAROLD J. EGENES
Councilman

March 18, 1968

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 3, 1968, authorizing the Mayor of the City of Indianapolis

to lease a certain tract of real estate belonging to the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Respectfully submitted,

HAROLD J. EGENES
Councilman

On motion of Mr. Egenes seconded by Mr. Gorham, the Council recessed for Committee Hearings at 8:25 P.M.

During the recess, discussion was held on General Ordinances No. 9, 10, 11, 12, and 13, 1968.

The Council reconvened at 8:45 P.M.

President Hasbrook called for reports from Standing Committees.

COMMITTEE REPORTS

Indianapolis, Ind., March 18, 1968

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. 5, 1968, entitled

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.

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

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

Indianapolis, Ind., March 18, 1968

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. 8, 1968, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 3, Section 4-305 by the addition of a new subsection (3) (a) 4-305, which provides for right turns in the City of Indianapolis under certain conditions and circumstances and in certain areas 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 amended and passed.

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

Indianapolis, Ind., March 18, 1968

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. 9, 1968, entitled

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

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.

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

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

Indianapolis, Ind., March 18, 1968

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. 10, 1968, entitled

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 addition of a subsection to Section 4-812, prohibiting parking at all times on certain 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.

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

Indianapolis, Ind., March 18, 1968

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. 11, 1968, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 13 thereof, by the addition of a subsection to Section 4-1303(2) prohibiting trucks on certain streets weighing over 10,000 pounds, 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.

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

Indianapolis, Ind., March 18, 1968

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

Gentlemen:

We, your Committee on Law & Judiciary to whom was referred General Ordinance No. 12, 1968, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 10, Chapter 4, Section 10-404—Obscene Conduct and Title 10, Chapter 10, Section 10-1011, Common Loiterers, by changing the penalties 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.

LAWRENCE F. BRODERICK, Chairman
WILLIAM A. LEAK
DANIEL P. MORIARTY

Indianapolis, Ind., March 18, 1968

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. 13, 1968, entitled

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 deletion of Subsection 465, Section 4-812, prohibiting parking at all times, and the addition of Subsection 15, Section 4-814.2, no parking anytime except Sundays, 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.

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

President Hasbrook called for the Introduction of New Ordinances.

GENERAL ORDINANCES

GENERAL ORDINANCE 14, 1968

Introduced by Councilmen Egenes and Forestal:

AN ORDINANCE authorizing the execution of an intergovernmental agreement between the City of Indianapolis and the Mass Transportation Authority of Greater Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, the Mass Transportation Authority of Greater Indianapolis and the City of Indianapolis are authorized under Section 24 of the Transportation Act to enter into an agreement under which the authority would acquire, control, program, design, construct, reconstruct, operate or maintain any roads or bridges or properties incident thereto within the City, and

WHEREAS, the Mass Transportation Authority has the power to assume exclusive jurisdiction within its boundaries, which include the City to program, plan, design, control, construct, reconstruct and operate all thoroughfares and to control parking on all thoroughfares in Marion County, Indiana, and

WHEREAS, it is deemed to be in the best interest of the City of Indianapolis in order to eliminate duplicate costs and to afford a unified administration of certain roads and bridges, it is desirable that the City of Indianapolis and the Mass Transportation Authority of Greater Indianapolis enter into an intergovernmental agreement for these purposes.

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

Section 1. That the City shall enter into, and the Mayor and the Clerk of the City of Indianapolis are authorized to execute on its behalf, an agreement substantially in the following form:

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY
OF INDIANAPOLIS AND THE MASS TRANSPORTATION
AUTHORITY OF GREATER INDIANAPOLIS

The City of Indianapolis and the Mass Transportation Authority of Greater Indianapolis, both municipal corporations created by Indiana law (herein referred to respectively as the "City" and the "Authority" hereby enter into an intergovernmental agreement in accordance with Section 24, Chapter 311, Indiana Acts 1967 (Burns Indiana Statutes Annotated, 1967 Pocket Supplement, Sec. 36-3455) herein referred to as the "Transportation Act" and Indiana Acts 1961, Chapter 173, as amended (Burns Sec. 48-8039).

1. TERM OF THE AGREEMENT. This Agreement shall extend for an indefinite period but may be terminated by either the City

or the Authority on three months written notice to the other. In addition, the parties may amend or rescind this Agreement at any time by mutual consent. The Terms used in this Agreement shall be construed in accordance with the Transportation Act.

2. DUTIES AND JURISDICTION OF THE AUTHORITY AND THE CITY. Within fifteen days after the execution of this Agreement, the duties and obligations of the Authority and the City, within the jurisdiction of the City and of its Boards and subject to the exceptions as set out in this Agreement, shall be as follows:

(a) POWERS AND DUTIES OF THE AUTHORITY. Except as provided in subparagraphs (b) and (c) below, the Authority shall have and acquire all of the powers and duties now or hereafter conferred by law upon the City or its officials to program, design, construct, reconstruct and operate all roads and bridges within the City and to control parking therein as provided in Acts 1965, Chapter 208, or any other act granting such power. As an incident to the exercise of such power, the Authority agrees to maintain within the City a system for the control of all traffic including the adoption of the necessary ordinances and to maintain and locate all necessary traffic control devices and on and off-street parking meters. The Authority shall also develop a program for the design, construction and reconstruction of all roads and bridges within the boundaries of the Authority, including but not limited to those within the City, and to the best of its financial ability carry out such a program at the times provided therein.

(b) POWER OF THE CITY. The City shall have power and jurisdiction without approval of the Authority to do the following:

(1) Design and reconstruct all roads, other than thoroughfares, and maintain all roads and bridges, including but not limited to railroad crossings and grade structures.

(2) Issue permits for house movers and temporary street closing permits.

(3) Grant all taxicab licenses and receive the fees therefor.

(c) POWER OF THE CITY TO BE EXERCISED WITH APPROVAL OF THE AUTHORITY. The City shall retain concurrent

power and jurisdiction to do the following after prior approval of the Authority subject to the administrative provisions of numbered paragraph 3:

(1) Design and construct any road, bridge or other structure and reconstruct thoroughfares.

(2) Vacate streets, roads or parts thereof.

(3) Grant permission to encroach on the right-of-way of any road by such items as transformer vaults under sidewalks, overhead pedestrian walks, underground and overhead utility services, loading docks, public telephone booths, newspaper racks, fire hydrants and street-lighting fixtures.

(4) Make agreements relating to switch tracks.

(5) Grant the right to make curb cuts and street cuts on all roads.

(6) Approve and extend all loading zones on roads.

3. ADMINISTRATION OF MATTERS REQUIRING APPROVAL OF THE AUTHORITY. All matters requiring approval of the Authority under numbered paragraph 2(c) above shall be subject to the following administrative procedures:

(a) All applications shall be made to the City through its designated officials, pursuant to its ordinances and regulations in effect from time to time.

(b) All fees shall be collected and retained by the City.

(c) Any bond required by the City shall be obtained by it but shall run for the benefit of the City and the Authority and such other body as the City shall determine.

(d) All supervision and inspection shall be performed by the City.

(e) The City shall forward to the Authority all documents, in forms requested by the Authority and furnished by the City, for its approval or disapproval as part of processing any such City action or approval, to the end that all applicants shall be forced to file papers at

only one place. In connection therewith, the City shall make a copy of each document relating to traffic control and engineering in such form as the Authority shall prescribe so that a file thereof may be established in the office of the Authority.

(f) The Executive Director of the Authority shall have the power to approve on its behalf all matters contained under numbered paragraphs 2(c) (3)-(6), but such approval shall be effective only if it is approved by a majority of a committee consisting of the Executive Director of the Authority, the City Civil Engineer, the County Highway Engineer, or for each official representative designated by him from his staff, and when a State Highway is involved, a representative of the State Highway Department. If either the Executive Director of the Authority or such majority fail to give such approval, the Board of Directors of the Authority shall have the sole power to grant such approval. Such Board shall also have the sole authority to grant an approval required under paragraphs 2(c) (1) and (2). The Board may act on its own motion, the petition of any such official, or the petition of any interested party.

(g) Where any approval under this Agreement requires the action of the Authority or any City Board or Council, and may be taken under applicable statute only after notice, hearing or other similar proceedings, such proceedings shall be followed.

5. STREET PLANS. The Department of Public Works of the City and the Authority shall keep a file of plans of all roads heretofore or hereafter constructed by them. All such files shall be open to the public and to officials of the Authority and the City, respectively, at all reasonable times. The Authority and the City shall cooperate, each furnishing the other information, plans or surveys, necessary or desirable to carry out their respective functions as set out in this agreement.

6. EQUIPMENT AND OTHER PROPERTY TRANSFERRED. The title to, or interest of the City in, all equipment and other property now owned or leased by the City or heretofore ordered for purchase or lease by the City, and necessary to and primarily used in, the operation of all the roads and bridges within the City and to the maintenance of equipment incident thereto, including but not limited to signs, traffic control devices, computers, vehicular and other equipment, shall in accordance with Sections 20 and 24 of the Transportation Act be transferred within fifteen (15) days after

the execution of this agreement from the City to the Authority. The Authority shall assume all indebtedness and other obligations of the City in connection with such property and equipment. Such indebtedness or other obligation shall not include any amounts due for design, construction or reconstruction contracts.

The consideration for this transfer shall be the obligation of the Authority to operate the roads in the City, as that term is defined in Section 24 of the Transportation Act.

Upon termination of this Agreement, all such equipment and property used on roads other than thoroughfares shall be transferred to the City, subject to any indebtedness and obligations of the Authority in connection therewith. Equipment and property used jointly on thoroughfares and other roads shall be transferred or disposed of on an equitable basis.

7. PARKING METERS. Without limiting the general obligations of the Authority and the City in paragraph 6, the Authority will within fifteen (15) days after the execution of this agreement:

(a) Assume all indebtedness and obligations of the City with respect to its on and off-street parking meters and on and off-street public parking facilities, including but not limited to its indebtedness of approximately \$6,000.00 and its obligation to pay lease rental on the Broad Ripple parking lot to the Indianapolis Water Company.

(b) Take title to all equipment and other property used by the City in connection with the operation of on and off-street parking meters.

(c) The City shall install, operate, maintain, repair and collect the payments from parking meters, shall reimburse itself for the cost thereof and shall pay the balance to the Authority.

The Authority, acting through its Executive Director or by action of its Board of Directors shall have exclusive right to determine where and when parking meters are installed and removed on all roads and public off-street parking facilities in the City.

The Authority shall expend the balance, first for the payment of purchase price and rental fees for all parking meters in the City,

and second, within the City for the items specified in Section 3(c)(d) and (e) of Chapter 208, Indiana Acts 1965 (Burns Indiana Statutes Annotated 1967 Pocket Supplement, Section 48-521 (c)(d) and (e).).

8. SERVICES. Any service done or work performed by the City for the Authority shall be paid for on a cost basis. Any service done or work performed by the Authority for the City shall be paid for on a cost basis. No such payment shall be due for any service to be performed or for work to be done, either by the Authority or the City, under applicable law, or under this agreement where no compensation is required to be paid.

The City through its Board of Works may, within its jurisdiction, upon request of the Authority and after arrangement for payment for compensation and expense satisfactory to it, acquire public right-of-way for sidewalks, drains, curbs and roads, including but not limited to thoroughfares.

9. STATE HIGHWAY COMMISSION OF INDIANA. Subject to the approval of the State Highway Commission, the Authority will assume within fifteen (15) days after the execution of this agreement, the obligations of the City with the State Highway Commission dated July 1, 1955, relating to maintenance, installation of traffic signs, marking and signs on state routes in the City of Indianapolis and all amendments and supplements thereto.

10. ACTION OF THE CITY AND THE AUTHORITY. The City and the Authority separately agree to enact all ordinances and take all acts necessary to carry out the powers and responsibilities vested in the Authority and the City pursuant to this intergovernmental agreement.

11. SEVERABILITY CLAUSE. If any provision of this agreement, or the application of such provision to any person or circumstances, is illegal or can not reasonably be carried out, such illegality or inability shall not affect the other provisions or applications of this agreement which can be given effect without such provision or application, and to this extent the provisions of this agreement are to be treated severable.

IN WITNESS WHEREOF, the City has caused this agreement to be executed by its Mayor and attested by its Clerk and the Authority has caused this agreement to be executed by the Chairman and attested by the Secretary of its Board of Directors.

Section 2. 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 Finance.

GENERAL ORDINANCE NO. 15, 1968

Introduced by Councilman Leak:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 7, Chapter 17, Providing for the Regulation of Taxicabs, and fixing a time when same shall take effect.

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

Section 1. That Section 7-1703, Title 7, Chapter 17 of General Ordinance 140, 1951, as amended, is hereby amended to read as follows:

Section 7-1703 — Who may obtain license. Any such license for such operations of a taxicab shall be issued by the City Controller, in accordance with the application, to any qualified person applying therefor, who is then either the owner, or the operator, and while he exercises control of such taxicab in its use in this city; Provided, however, That any such licensee must be the person named as the insured in the insurance policy and must be otherwise qualified; all as required by other provisions of this Chapter, Title and Code and by law; Provided, further, that every licensee shall have his, her or its central office within the city corporation limits and all property used in such business including vehicles licensed as

taxicabs, shall have a tax situs within said corporation. Removal of such central office or the tax situs of such property from the city corporation shall be grounds for revocation of all licenses granted to such owner or operator and order to surrender such licenses to the Board of Public Safety.

Section 2. That Section 7-1711 (2) of Title 7, Chapter 17 of General Ordinance 140, 1951, as amended, is hereby amended to read as follows:

Section 7-1711 (2) No licensee shall operate more taxicabs than such licensee is licensed to operate but shall at all times operate a sufficient number of such taxicabs so that the public shall receive reasonably adequate service. A licensee may from time to time remove taxicabs from service without replacing same, and if such period of time shall exceed thirty (30) days, such licensee shall deliver to the Board of Public Safety written notification of the taxicabs so retired from active service specifying the particular license number of each taxicab so retired. Any licensee not replacing a taxicab in active service within sixty (60) days, shall surrender the license therefor to the Board of Public Safety for re-issue at its discretion.

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 Public Safety.

GENERAL ORDINANCE NO. 16, 1968

Introduced by Councilman Leak:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 7, Chapter 17, providing for the licensing and regulation of taxicabs and fixing a time when same shall take effect.

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

Section 1. That Section 7-1705 (1), Title 7, Chapter 17, of General Ordinance 140, 1951, as amended, is hereby amended to read as follows:

Section 7-1705. License fee, conditions and terms of license. (1) Whenever any application for either an original license, or for renewal or transfer thereof, is filed by any person with the Board of Public Safety, it shall investigate all the facts pertinent thereto, including an inspection of the applicant and of the taxicabs to be used, and such further investigation as it deems necessary. It may thereupon either grant or deny such application whenever the facts so warrant. If denied, the applicant may then ask for and must be accorded a hearing by the Board of Public Safety and be entitled to submit evidence in his own behalf. The Board of Public Safety shall thereupon make a final ruling in such matter. If such application be granted, the Controller shall issue a license certificate, or a renewal, or transfer, of such license, to and in the name of such applicant, authorizing him to operate any such taxicabs, on the streets of the city, subject to and conditioned upon his compliance with all the provisions of this Chapter, Title and Code and with all statutes and later ordinances, and upon the payment for each taxicab to be so operated by such licensee, upon an original or renewal license, of a license fee of one hundred fifty dollars for one year, or for any portion thereof. For each transfer of any license from cab to cab, a fee of fifteen dollars shall be paid and the Controller shall affix his approval of such transfer upon the license certificate. Before any such license, or renewal or transfer thereof, is issued the applicant must file with the Board of Public Safety a public liability policy of insurance providing for indemnification of persons and property resulting from the operation of each such taxicab, as hereinafter provided.

Section 2. That Section 7-1706 and 7-1706(2) Title 7, Chapter 17, of General Ordinance 140, 1951, as amended, is hereby amended to read as follows:

Section 7-1706. Renewals and transfers and termination of licenses. (1) Any person lawfully holding any one or more such licenses for taxicabs and not in default of any provisions hereof, shall be entitled to obtain a renewal license for each ensuing year for each such license so held, by paying the annual fee of one hundred fifty dollars (\$150.00) for each such license and by maintaining in effect the required insurance policy for each vehicle operated.

(2) Any licensee may transfer a license from any one taxicab to another, while both are so owned and used by said licensee, provided that such first cab be then either disposed of, or be permanently retired from service in this city, or not used until a new license therefor is obtained, and upon application herefor to the Board of Public Safety and the payment of such transfer fee of fifteen dollars (\$15.00) and showing the required insurance coverage for each cab so placed in service.

Section 3. Section 7-1817, Title 7, Chapter 17, of General Ordinance 140, 1951, as amended, is hereby amended to read as follows:

Section 7-1817. License fee. The following license fee, in addition to the one dollar issuance fee, shall be paid to the City Controller for a taxicab driver's license: nine dollars (\$9.00) for each original or annual renewal.

Section 4. Sections 1 and 2 of this Ordinance shall be in full force and effect July 1, 1968, following its passage, approval by the Mayor and compliance with all laws pertaining thereto. Section 3 of this Ordinance shall be effective 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 Public Safety.

SPECIAL ORDINANCES

SPECIAL ORDINANCE NO. 1, 1968

Introduced by Councilman Egenes:

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 part of the territory constituting the City of Indianapolis, Indiana. Said territory being a part of the Northeast Quarter of Section 17, Township 16 North Range 5 East in Marion County, Indiana, more particularly described as follows:

Beginning at a point on the East line of said Quarter Section a distance of 560.00 feet North 00 degrees 23 minutes 35 seconds West of the Southeast corner of said Quarter Section; running thence South 81 degrees 25 minutes 33 seconds West a distance of 374.50 feet to a point; running thence South 90 degrees 00 minutes 00 seconds West a distance of 291.84 feet to a point; running thence North 00 degrees 20 minutes 00 seconds West a distance of 668.41 feet to a point; running thence North 89 degrees 07 minutes 39 seconds East a distance of 661.85 feet to a point on said East Quarter Section line; running thence South 00 degrees 23 minutes 35 seconds East upon and along said East line a distance of 622.66 feet to the Point of Beginning; containing 10.00 acres, more or less.

Also included is the entire right-of-way of Mitthoefer Road adjacent to the above described property.

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 Public Health.

SPECIAL ORDINANCE NO. 2, 1968

Introduced by Councilman Egenes:

AN ORDINANCE annexing certain contiguous territory of 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:

Part of the Southeast Quarter of Section 15, Township 16 North, Range 3 East in Marion County, Indiana, including all the lots (Lots numbered One, through Ten) along with the 60 foot wide "Roadway" adjacent to said lots, all in "Woodstock," an addition to the City of Indianapolis, as recorded in Plat Book 15, page 58, in the Office of the Recorder of Marion County, Indiana, also part of the former right-of-way of the "Terre Haute, Indianapolis, and Eastern Traction Company," all more particularly described as follows:

Beginning at the Southeast corner of the West Half of said Quarter Section; thence North 89 degrees 55 minutes 34 seconds West along the South line of the said Quarter Section 1179.34 feet to the Southwest corner of the said Lot One; thence North 02 degrees 56 minutes 30 seconds East along the West line of the said Lot One, 129.10 feet to a cut stone at the Northwest corner of the said Lot One; thence North 68 degrees 21 minutes, 31 seconds East along the Northerly line of the said Lot One, 126.49 feet to a cut stone on the Southerly line of the said Lot Two; thence North 54 degrees 40 minutes 54 seconds West along the Southerly line of the said Lot Two, 87.66 feet to a cut stone; thence North 00 degrees 52 minutes 02 seconds East along the Westerly line of the said Lot Two, 187.20 feet to a cut stone; thence North 08 degrees 05 minutes 34 seconds East along the Westerly line of the said Lot Two, 372.04 feet to a cut stone; thence North 13 degrees 04 minutes 47 seconds East along the Westerly line of the said Lot Two, 217.08 feet to a cut stone at the Northwest corner of the said Lot Two; thence North 21 degrees 15 minutes 00 seconds East along the Westerly line of the said Lot Three, 111.62 feet; thence North 25 degrees 40 minutes 00 seconds East along the Westerly line of the said Lot Three, 180.48 feet to the Northwest corner of the said Lot Three; thence North 21 degrees 54 minutes 43 seconds East along the Northwesterly line of the said Lot Four, 138.24 feet to a cut stone; thence North 35 degrees 20 minutes 46 seconds East along the Northwesterly line of the said Lot Four, 172.35 feet to a cut stone; thence North 43 degrees 08 minutes 35 seconds East along the Northwesterly line of the said Lot Four, 154.90 feet to a cut stone at the Northern corner of the said Lot Four, thence North 39 degrees 03 minutes 44 seconds East along the Northwesterly line of the said

Lot Five, 145.68 feet; thence North 23 degrees 27 minutes 44 seconds East along the Northwesterly line of the said Lot Five, and the said Lot Six, 417.84 feet to a cut stone; thence North 26 degrees 53 minutes 44 seconds East along the Northwesterly line of the said Lot Six, 169.49 feet; thence North 42 degrees 21 minutes 44 seconds East along the Northwesterly line of the said Lot Six, 86.45 feet to the Westerly line of the Michigan Road (U.S. Highway No. 421), a 100 foot wide roadway; thence continuing North 42 degrees 21 minutes 44 seconds East 115 feet more or less to the East right of way line of U.S. Highway No. 421 as now established; thence south 19 degrees 30 minutes 44 seconds East along the East line of said U.S. Highway No. 421, 790 feet more or less to the center line of Woodstock drive, being the present corporate limits of the City of Indianapolis, thence South 42 degrees 21 minutes 44 seconds West with the present corporate limits of Indianapolis to the center line of U.S. Highway No. 421 also being the present Indianapolis corporate limits; thence South 19 degrees, 30 minutes 44 seconds East along the present corporate limits to the South line of said quarter section; thence North 89 degrees 55 minutes 34 seconds West along the said South line 638.29 feet more or less to the place of beginning, containing 57.76 acres, more or less.

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 Public Works.

SPECIAL ORDINANCE NO. 3, 1968

Introduced by Councilman Egenes:

AN ORDINANCE authorizing the Mayor of the City of Indianapolis, to lease a certain tract of real estate belonging to the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis, Indiana, is the owner of certain real estate in Marion County, Indiana, commonly known

as Owen J. Bush Stadium, which real estate is more particularly hereinafter described and which has been used by the City for a municipal Baseball stadium, and

WHEREAS, it has been recommended by the Bush Stadium Task Force that the highest and best use of said real estate would be realized through its use by the Metropolitan Park Department of Marion County, Indiana, and

WHEREAS, it has been determined by the Metropolitan Park Department of Marion County, Indiana, that said Department could make the improvements necessary to place said stadium in a better state of repair and more fully utilize the premises for athletic and recreational purposes, and

WHEREAS, said Metropolitan Park Department is prepared to lease said premises from the City for a period of ten (10) years and pay to the City an amount of money sufficient to retire the bonded indebtedness which the City undertook for the purchase of said real estate, plus the interest on said bond issue, and

WHEREAS, it is deemed in the best interest of the City of Indianapolis that said real estate should be leased to the Metropolitan Park Department of Marion County, Indiana, and at the end of the term of said lease that the property should be conveyed to said Metropolitan Park Department.

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

Section 1. That the Mayor of the City of Indianapolis, Indiana, be and he is hereby authorized, directed and empowered to lease the following described real estate, commonly known as Owen J. Bush Stadium, being located at the intersection of Harding Street and 16th Street in the City of Indianapolis, Indiana, for a term of ten (10) years for the sum of Three Hundred Fifty-three Thousand One Hundred Twenty-two Dollars and Fifty Cents (\$353,122.50), said tract of real estate being more particularly described as follows:

“A part of the west one-half of Section thirty-four (34), Township sixteen (16) Range three (3) east, which is more particularly described as: beginning at the point where the south line of 16th

Street intersects the west line of Harding Street, thence westerly along the south line of 16th Street, seven hundred thirty-six and ten hundredths (763.10) feet to a point, and thence south to the north line of Speedway Avenue, thence southeasterly along the north boundary of Speedway Avenue to a point where the north boundary of Speedway Avenue intersects the west boundary of Harding Street to the place of beginning, containing approximately fifteen and two hundred twenty-seven thousandths (15.227) acres."

Excepting, however, from the above description the following portion condemned by the Board of Flood Control Commissioners, Indianapolis, Marion County District, described as follows, to-wit:

"Beginning at a point in the intersection of the north line of Speedway Avenue and the west line of North Harding Street, thence N 49°40'04" W along said south line of Speedway Avenue a distance of 135 feet to a point; thence N 40°19'56" E for a distance of 95.13 feet to a point; thence N 89°50'57" E for a distance of 40.92 feet to a point in said west line of North Harding Street; thence S 00°09'03" E along said west line of North Harding Street to the point of beginning, and containing 0.223 acres, more or less."

Excepting further from the above description a strip of ground off of the northeast corner thereof, now used for the restaurant Gay Dan, extending west from the center of Harding Street two hundred twenty-five (225) feet and extending south from 16th Street to the brick wall which surrounds Bush Stadium, and extending to a depth of the distance south from 16th Street to the brick wall which surrounds Bush Stadium and runs east and west parallel to 16th Street; provided, however, that the lessee shall have the right of ingress to said strip of ground for the purpose of maintaining supports required for the erection and maintenance of advertising signs erected above said brick wall.

Section 2. That said lease should contain a provision for the transfer of title to the said Metropolitan Park Department of Marion County, Indiana, provided that said Metropolitan Park Department abide by all of the terms contained in said loan.

Section 3. That said lease shall contain a provision requiring the said Metropolitan Park Department to negotiate with the Indianapolis Indians Baseball Club for its use of the stadium premises during the baseball season.

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.

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

ORDINANCES ON SECOND READING

Mr. Egenes called for a second reading of General Ordinance No. 5, 1968.

The Clerk read the Ordinance for the second time.

On motion of Mr. Broderick, seconded by Rev. Williams, and by unanimous vote, Rev. Joe Turner was allowed to address the Council concerning General Ordinance No. 5.

Mr. Egenes moved to strike General Ordinance No. 5, 1968, from the files; Mr. Leak seconded the motion.

The motion was carried by the following roll call vote:

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

Noes 1, viz: Mr. Broderick.

Mr. Egenes called for a second reading of General Ordinance No. 8, 1968.

The Clerk read the Ordinance for the second time.

On motion of Mr. Forestal, seconded by Mr. Gorham, Council recessed at 9:00 P.M.

Council reconvened at 9:20 P.M.

Mr. Forestal moved to amend General Ordinance No. 8, 1968, as follows:

Indianapolis, Ind., March 18, 1968

Mr. President:

I move that General Ordinance No. 8, 1968 be amended by inserting between the words "turn" and "but," where they appear on line 14 of Section 1, Paragraph (3), (a) the following: "except where prohibited by appropriate sign or signal, prohibiting such turn."

JEROME P. FORESTAL, Councilman

The motion was seconded by Mr. Gorham.

Mr. Egenes moved, seconded by Mr. Leak, that the amendment be held for a Special Order of Business at the April 1 Council meeting.

The motion passed, by unanimous vote.

Mr. Egenes called for a second reading of General Ordinance No. 9, 1968.

The Clerk read the Ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Gorham, General Ordinance No. 9, 1968, was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for the third time, and it passed on the following roll call vote:

Ayes 9, viz: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams and President Hasbrook.

Mr. Egenes called for a second reading of General Ordinance No. 10, 1968.

The Clerk read the Ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Leak, General Ordinance No. 10, 1968, was ordered engrossed, read a third time, and placed upon its passage.

The Clerk read the Ordinance for the third time and it passed on the following roll call vote:

Ayes 9, viz: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams and President Hasbrook.

Mr. Egenes called for a second reading of General Ordinance No. 11, 1968.

The Clerk read the Ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Gorham, General Ordinance No. 11, 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 9, viz: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams and President Hasbrook.

Mr. Egenes called for a second reading of General Ordinance No. 13, 1968.

The Clerk read the Ordinance for the second time.

On motion of Mr. Egenes, seconded by Rev. Williams, General Ordinance No. 13, 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 9, viz: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams and President Hasbrook.

Mr. Broderick called for a second reading of General Ordinance No. 12, 1968.

The Clerk read the Ordinance for the second time.

Mr. Broderick moved, seconded by Mr. Leak, that General Ordinance No. 12, 1968, be amended as follows:

Indianapolis, Ind., March 18, 1968

Mr. President:

I move that General Ordinance No. 12, 1968 be amended by striking out "4-404" where it appears three times in Section 1 and inserting in lieu thereof the following: "10-404" in each such instance.

LAWRENCE F. BRODERICK, Councilman

The motion passed on the following roll call vote:

Ayes 9, viz: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams and President Hasbrook.

On motion of Mr. Broderick, seconded by Mr. Moriarty, General Ordinance No. 12, 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 9, viz: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Rev. Williams and President Hasbrook.

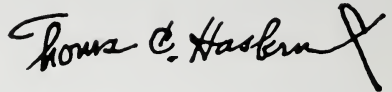
NEW BUSINESS

President Hasbrook announced that there would be a Special Meeting of the Council on Monday, March 25, 1968 at 5:00 P.M.

On motion of Mr. McPherson, seconded by Mr. Gorham, the Council adjourned at 10:40 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 18th day of March, 1968, 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.



ATTEST:

President

(SEAL)

City Clerk