

REGULAR MEETING

Monday, July 6, 1970, 6:30 P.M.

A regular meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 6:30 P.M., on Monday, July 6, 1970.

President Hasbrook in the Chair.

The Clerk called the roll:

Present: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Reverend Williams and President Hasbrook.

Absent: Mr. Byrum.

Mr. Egenes moved, seconded by Mr. Gorham, to dispense with the reading of the Journal of the previous meeting, which was carried by unanimous consent.

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

COMMUNICATIONS FROM THE MAYOR  
AND OTHER CITY-COUNTY OFFICIALS

June 17, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
CITY-COUNTY COUNCIL OF INDIANAPOLIS-MARION COUNTY:

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Marjorie H. O'Laughlin, the following City-County Ordinances:

APPROPRIATION ORDINANCE NO. 17, 1970, as amended, transferring \$11,850.00 from the General Fund of the City of Indianapolis for the use of the Office of the Mayor relating to the Federal Department of Housing and Urban Development.

GENERAL ORDINANCE NO. 80, 1970, as amended, revising Title 7 of the Municipal Code concerning the regulation and licensing of businesses in the City of Indianapolis.

GENERAL ORDINANCE NO. 94, 1970, as amended, creating a quasi-public corporation to be known as the Greater Indianapolis Housing Development Corporation.

GENERAL ORDINANCE NO. 107, 1970, to amend the Municipal Code, Title 4, Chapter 10, Section 3-1001 (6), **Passenger and Material Loading Zones—Permits.**

GENERAL ORDINANCE NO. 108, 1970, to amend the Municipal Code, Title 4, Chapter 8, Section 813, **Parking Restricted on Streets Near Certain Public Buildings.**

Respectfully submitted,

RICHARD G. LUGAR  
Mayor

July 6, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
CITY-COUNTY COUNCIL OF INDIANAPOLIS-MARION COUNTY,  
INDIANA:

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be posted in three public places and published in the Indianapolis News and in the

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Indianapolis, Marion Co., Ind.

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Indianapolis Commercial on June 18, 1970 and again on June 25, 1970, a "Notice to Taxpayers" of a public hearing to be held on Monday, July 6, 1970 in Room 221 of the City-County Building at 6:30 P.M. on Appropriation Ordinance Nos. 13, 19, 20, and 21, 1970.

Also pursuant to the laws of the State of Indiana, I caused to be published in the aforementioned papers, General Ordinance Nos. 107 and 108, 1970 on June 19, 1970 and again on June 26, 1970.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN  
City Clerk

July 6, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
CITY-COUNTY COUNCIL OF INDIANAPOLIS AND MARION  
COUNTY:

Gentlemen:

Transmitted herewith are 28 copies of the following City-County Ordinances:

APPROPRIATION ORDINANCE NO. 18, 1970, transferring \$10,804.96 from Marion County government and from the County General Fund to other certain designated funds of Marion County government.

DWIGHT L. COTTINGHAM  
Councilman

APPROPRIATION ORDINANCE NO. 21, 1970, transferring \$263,961.81 from Bridge Projects to the unappropriated Marion County Cumulative Bridge Fund; and transferring and appropriating \$2,503,323.13 from the Marion County Cumulative Bridge Fund to certain other designated Bridge Projects, introduced at the regular meeting of the Transportation Committee on June 17, 1970.

HAROLD J. EGENES  
Councilman

APPROPRIATION ORDINANCE NO. 22, 1970, transferring \$4,500,000.00 from the Department of Transportation to certain other designated funds of the Department of Transportation.

HAROLD J. EGENES  
Councilman

APPROPRIATION ORDINANCE NO. 23, 1970, transferring \$11,909,752.60 from funds of the City of Indianapolis, Department of Transportation to Other Contractual.

HAROLD J. EGENES  
Councilman

GENERAL ORDINANCE NO. 134, 1970, providing for removal of improper constructions upon the public right of way streets and roadways.

HAROLD J. EGENES  
Councilman

GENERAL ORDINANCES NOS. 135-150, 1970, rezoning ordinances certified from Metropolitan Development Commission on June 17, 1970.

HAROLD J. EGENES  
Councilman

GENERAL ORDINANCES NOS. 151-157, 1970, rezoning ordinances certified from Metropolitan Development Commission on July 2, 1970.

HAROLD J. EGENES  
Councilman

SPECIAL RESOLUTION NO. 22, 1970, commending Raymond J. Strattan, Deputy Police Chief, for being awarded "Law Officer of the Year" by the Indiana American Legion.

WILLIAM A. LEAK  
Councilman

APPROPRIATION ORDINANCE NO. 24, 1970, appropriating \$41,486.00 from certain designated funds of the Marion County Sheriff's Department.

DWIGHT L. COTTINGHAM  
Councilman

Councilman Leak requested the consent of the Council for a special order of business, which was unanimously granted.

Mr. Leak requested Chief Churchill to read City-County Special Resolution No. 22, 1970, honoring Deputy Chief Raymond Strattan as follows:

CITY-COUNTY COUNCIL SPECIAL RESOLUTION NO. 22, 1970

WHEREAS, Raymond J. Strattan has faithfully served the City of Indianapolis as a most effective Deputy Chief of the Indianapolis Police Department; and

WHEREAS, Deputy Chief Strattan has served the City of Indianapolis as a police officer for 19 years; and

WHEREAS, during his career as a police officer, he has earned six commendations for bravery in the line of duty; and

WHEREAS, Deputy Chief Strattan has been named the recipient of the Indiana American Legion's "Law Officer of the Year" award, to be presented on July 18, 1970, at the Legion's State Convention in Fort Wayne, Indiana, which award is given to "the law officer who through devotion to duty best exemplifies the traits which the public has come to expect of its law enforcement officers."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF INDIANAPOLIS-MARION COUNTY, INDIANA:

Section 1. That the City-County Council of the City of Indianapolis-Marion County, Indiana, wishes to commend Deputy Chief Ray-

mond J. Strattan on receiving this award and thereby honoring the City of Indianapolis as well in his service to our community.

Mr. Leak moved, seconded by Mr. Broderick, for the adoption of Special Resolution No. 22, 1970; the motion was unanimously carried.

President Hasbrook called for the Introduction of New Ordinances.

## NEW ORDINANCES

### CITY-COUNTY APPROPRIATION ORDINANCE NO. 18, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, appropriating, reappropriating, and reallocating the sum of Ten Thousand Eight Hundred four dollars and ninety-six cents (\$10,804.96) from certain designated appropriations for the expenses of Marion County government and its institutions and from the unexpended, unencumbered and unappropriated balance of the County General Fund to other certain designated funds of Marion County government and its institutions as created by virtue of the Budget for 1970, City-County Ordinance No. 2, 1969 (County Ordinance No. 11, 1969), 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 1970 Budget appropriations thereby creating emergencies which require the expenditure of funds in addition to those appropriated in the annual budget for Marion County government and its institutions, and

WHEREAS, there are unexpended funds appropriated for certain departments and offices of Marion County which may be transferred without detriment, and

WHEREAS, there are available unexpended, unencumbered, and unappropriated monies in the County General Fund in sufficient

amount to make up the deficit between transfer funds and emergency needs,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That the sum of Ten Thousand Eight Hundred four dollars and ninety six cents (\$10,804.96) be and the same is hereby transferred from the appropriations shown below under the heading REDUCE and from the unexpended, unappropriated County General Fund, and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows, to-wit:

REDUCE:	TAX LEVY
COUNTY COOPERATIVE EXTENSION SERVICE	
100 Services Personal	\$ 2,825.00
Total Reductions in Appropriations	\$ 2,825.00
Unappropriated County General Fund	\$ 7,979.96
<b>TOTAL REDUCTIONS</b>	<b>\$10,804.96</b>
INCREASE:	TAX LEVY
COUNTY COOPERATIVE EXTENSION SERVICE	
200 All other operating expenses	\$ 1,250.00
600 Properties	\$ 1,575.00
COUNTY PROSECUTING ATTORNEY	
100 Services Personal	\$ 7,479.96
600 Properties	\$ 500.00
<b>TOTAL INCREASES</b>	<b>\$10,804.96</b>

Section 2. This ordinance shall be in full force and effect from and after its passage, and publication as required by law.

Which was read for the first time and referred to the Committee on County & Townships.

## CITY-COUNTY APPROPRIATION ORDINANCE NO. 22, 1970

Introduced by Councilman Egenes:

AN ORDINANCE transferring, reappropriating, and reallocating the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) from certain unencumbered and unexpended funds in the Department of Transportation and transferring the same to certain other designated funds of the Department of Transportation created by virtue of the 1970 Budget, City-County General Ordinance No. 1, 1969, as amended (General Ordinance No. 34, 1969, as amended), declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, the 1970 Budget for the Department of Transportation included the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) in Budget Account No. 5, Line No. 58, for Debt Retirement because of an anticipated Special Taxing District Bond Issue of the Metropolitan Thoroughfare District of Indianapolis, which Bond Issue has not been issued and will likely not be issued in 1970; and

WHEREAS, a serious shortage of funds currently exists in the "Services, Contractual" Account of the Department of Transportation (Budget Account No. 2), which shortage has created an emergency requiring the transfer of funds to said account in the best interests of the citizens of the City of Indianapolis and of Marion County, for the purpose of building and improving roads;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000.00) be and the same is hereby transferred, reallocated and reappropriated from the unexpended and unencumbered balance of the Department of Transportation Account No. 5, Current Charges, Line No. 58, Debt Retirement, to Account No. 2, Services Contractual, as follows, to wit:



## REDUCE:

## DEPARTMENT OF TRANSPORTATION

TRANSPORTATION  
FUND

5. Current Charges	
Line No. 58, Debt Retirement	\$4,500,000.00
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Total Reduction	\$4,500,000.00

## INCREASE:

## DEPARTMENT OF TRANSPORTATION

TRANSPORTATION  
FUND

2. Other Contractual	\$4,500,000.00
	<hr/>
Total Increase	\$4,500,000.00

Section 2. 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 Transportation.

## CITY-COUNTY APPROPRIATION ORDINANCE NO. 23, 1970

Introduced by Councilman Egenes:

AN ORDINANCE transferring and appropriating the sum of Eleven Million Nine Hundred Nine Thousand Seven Hundred Fifty-two Dollars and Sixty Cents (\$11,909,752.60) from the unexpended, unencumbered and unappropriated funds of the City of Indianapolis, Department of Transportation to Other Contractual, 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 1970 Budget appropriations thereby creating emergencies which require the expenditure of funds in addition to those appropriated in the annual budget for the City of Indianapolis, Department of Transportation; and

WHEREAS, there are available unexpended, unencumbered, and unappropriated monies in the City of Indianapolis, Department of Transportation, in sufficient amount to meet the emergency needs; and

WHEREAS, such available funds were received from the State of Indiana from a lawsuit involving Inheritance Tax money from 1967 and 1968, and on which there has been rendered a final judgment by the Indiana Appellate Court. However, the taxpayers of Marion County should be aware that a petition for Certiorari has been filed with the United States Supreme Court and if the State is successful in their appeal, the funds must be repaid to the State of Indiana by an increase in the Property Tax from the taxpayers of Marion County.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That the sum of Eleven Million Nine Hundred Nine Thousand Seven Hundred Fifty-two Dollars and Sixty Cents (\$11,909,752.60) be, and the same is hereby transferred from the unexpended unappropriated funds of the City of Indianapolis, Department of Transportation, under the heading REDUCE, and the same is hereby appropriated to the Account shown below under the heading INCREASE as follows, to-wit:

REDUCE:	
Unappropriated Transportation Fund	\$11,909,752.60
TOTAL REDUCTION	<u>\$11,909,752.60</u>

INCREASE:	
DEPARTMENT OF TRANSPORTATION	
2. Services—Contractual	\$11,909,752.60
TOTAL INCREASE	<u>\$11,909,752.60</u>

Section 2. 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 Transportation.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 24, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, appropriating and reappropriating, and reallocating the sum of Forty one thousand four hundred eighty-six dollars (\$41,486.00) from certain designated appropriations for the expenses of the Marion County Sheriff's Office and from the unexpended, unencumbered and unappropriated balance of the County General Fund to other certain designated funds of the Marion County Sheriff's Office as created by virtue of the Budget for 1970, City County Ordinance No. 2, 1969 (County Ordinance No. 11, 1969), 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 1970 Budget appropriations for the operation of the Office of Marion County Sheriff and particularly for the purchase of gasoline for the operation of the Sheriff's patrol vehicles, all of which has created an emergency in said office, and

WHEREAS, there are unexpended funds appropriated in other accounts of the Sheriff's Office which may be transferred without detriment, and

WHEREAS, there are available unexpended, unencumbered, and unappropriated monies in the County General Fund in sufficient amount to make up the deficit between transfer funds and emergency needs,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That the sum of Forty one thousand four hundred eighty six dollars (\$41,486.00) be and the same is hereby transferred from the appropriations shown below under the heading REDUCE

and from the unexpended, unencumbered County General Fund, and the same is hereby appropriated to the Office of Marion County Sheriff as shown below under the heading INCREASE as follows, to-wit:

## INCREASE:

## COUNTY JAIL

	COUNTY FUND
200 All other operating expenses	\$40,000.00
600 Properties	1,486.00
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Total Increase	\$41,486.00

## REDUCE:

## COUNTY SHERIFF

	COUNTY FUND
200 All other operating expenses	\$11,486.00
Unappropriated County General Fund	30,000.00
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Total Reduction	\$41,486.00

Section 2. This ordinance shall be in full force and effect from and after its passage, and publication as required by law.

Which was read for the first time and referred to the Committee on County & Townships.

CITY-COUNTY GENERAL ORDINANCE NO. 134, 1970

Introduced by Councilman Egenes:

AN ORDINANCE providing for removal of improper constructions upon the public right of way of streets and roadways, providing penalties, and fixing a time when the same shall take effect.

WHEREAS, there have come to the attention of the officials of the City of Indianapolis, and of Marion County, many instances where driveways and other constructions constructed by private persons upon the right of way of streets and roadways have caused damage to neighboring property owners by preventing the normal drainage

of surface waters, and have inconvenienced and impaired the safety of the motoring public by causing traffic congestion.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

**Section 1. Improper Construction Removed by City.** Whenever any driveway, or other construction of any type or character whatsoever, shall have been constructed upon, or partially upon, the public right of way of any street or roadway within the jurisdiction of the Consolidated City of Greater Indianapolis, in such a manner that such construction interferes with drainage of surface water from land other than that served by such construction, whether public or private, or interferes with traffic upon the public roadway, the Department of Transportation shall have, and is granted hereby, authority to deal with such improper construction in the manner, and in accordance with the procedures, hereinafter set out.

(a) **Notice to Owner and Occupant.** A notice shall be served upon the owner, and upon the occupant, of the premises served by such allegedly improper construction, which notice shall describe the improper construction and allow such owner or occupant at least twenty-one (21) days to contact the Department of Transportation regarding such allegedly improper construction. If such owner or occupant does not contact the Department of Transportation within such time, the said Department is hereby authorized to remove forthwith any and all parts of such construction which are located within the public right of way.

(b) If the owner or occupant of such premises shall contact the Department of Transportation, he shall be given a reasonable time, not to exceed thirty (30) days from the time of said first contact, to show that said construction was lawful when built or installed. If such owner or occupant shall show that such construction was lawful when built, all correction of any problems caused by such construction shall be at the expense of the City of Indianapolis.

(c) In the event the said owner or occupant cannot show, within the time period prescribed above, that such construction was lawful when built or installed, he shall be given an additional period of thirty (30) days, in which to correct such improper construction in accordance with specifications and requirements of the Consolidated City of

Greater Indianapolis. If the said owner or occupant does not make such corrections within that time, the Department of Transportation is hereby authorized to remove forthwith, and without any further notice, any and all parts of such construction which are located within the public right of way.

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 Transportation.

CITY-COUNTY GENERAL ORDINANCES NOS. 135-150, 1970

Introduced by Councilman Egenes:

G. O. NO. 135, 1970—

69-Z-172 John & Frances Jeskis & P.H.L. Corporation by Mobil Oil Corp. by Fred T. Madorin, District Sales Manager by Henry M. Coombs, Attorney, 401 East Hanna Avenue request rezoning of 0.55 acre, being in U-1 district to C-3 classification to provide for the construction of a gasoline service station. Located on the northeast corner of East 38th St. & Sherman Dr. in Indianapolis, Washington Township (3816-3832 East 38th Street).

G. O. NO. 136, 1970—

70-Z-21 Standard Materials Division, Martin Marietta Corporation by Lester Irons, Attorney, 1313 Merchants Bank Bldg. requests rezoning of 605.29 acres, being in SU, I-2-S & A-2 districts, to SU-23 classification to provide for sand and gravel operations. Located south of Mooresville Road, east of Foltz Road in Decatur Township (3447 Mooresville).

G. O. NO. 137, 1970—

70-Z-37 The Health & Hospital Corporation of Marion County, 1941 City-County Bldg. requests rezoning of approximately 58 acres, being in Special Use district, to D-6 classification to provide

for apartments. Located on the south side of East 63rd Street, east side of Sunnyside Road in Lawrence Township (11000 block of East 63rd Street).

G. O. NO. 138, 1970—

70-Z-61 Top Construction Corp. by John Copenhaver, 2024 Southeastern Ave. by Merrill Moores, 525 State Life Bldg. requests rezoning of 25.62 acres, being in D-4 & R-4 districts, to D-6 II classification to provide for apartments. Located on the south side of East 25th St. 1300' east of Mitthoefer Road in Indianapolis, Warren Township, (10300 and 10400 blocks East 25th Street).

G. O. NO. 139, 1970—

70-Z-92 E. J. Terpstra by Jack B. Kammins, Attorney, 412 Union Federal Building requests rezoning of 3.09 acres, being in A-2 district, to I-3-S classification to provide for warehouses. Located on the south side of Elmwood Ave. approximately 800' east of Cashard Ave., projected, in the City of Beech Grove, Franklin Township (5601 Elmwood Avenue).

G. O. NO. 140, 1970—

70-Z-93 Penn Central Transportation Co. by Standard Paints, Inc., 2158 North Sherman Dr. by Jack H. Rogers, Attorney requests rezoning of 5.14 acres, being in I-2-U district, to I-3-U classification to provide for paint manufacturing & ware housing. Located on the south side of 30th Street, west side of Emerson Ave. in Indianapolis, Center Township (5000 block East 30th Street).

G. O. NO. 141, 1970—

70-Z-94 Today, Inc., 3209 North Meridian St., request rezoning of 34 acres, being in A-2 district, to S-G & B (Sand Gravel & Borrow) classification to provide for the extraction of sand, gravel and borrow. Located on the east side of Senour Road, south side of Troy Ave. in Indianapolis, Franklin Township (3000-3300 blocks Senour Road).

G. O. NO. 142, 1970—

70-Z-96 College Park Corporation by William F. LeMond, Attor-

ney, 412 Union Federal Bldg. requests rezoning of 20.50 acres, being in B-3 district, to C-4 classification to provide for the construction of a community shopping center. Located on the south side of West 10th St., west side of Girls School Road in Indianapolis, Wayne Township (7300-7500 blocks West 10th Street).

G. O. NO. 143, 1970—

70-Z-98 Board of Commissioners of Marion County by Sertoma Club of East Indianapolis, Inc. by Robert W. Wade, Pres., 1303 Arlington Ave. requests rezoning of 33.32 acres, being in A-2 district, to SU-34 classification to provide for a children's camp with facilities for a turkey shoot. Located on the north side of Brookville Road, west of German Church Road in Indianapolis, Warren Township (10902 Brookville Road).

G. O. NO. 144, 1970—

70-Z-100 John N. & Ruth K. Anderson, Dana I. Arens by A.H.M. Graves, Inc., by Thomas Laycock, 5948 North College Ave. request rezoning of 1.74 acres, being in D-3 district, to D-6 II classification to provide for apartments. Located on the north side of Terrace Ave., 100' east of DeQuincy Street in Indianapolis, Center Township (4850-4860 Terrace Avenue).

G. O. NO. 145, 1970—

70-Z-103 Dottie Parham, 7373 Madison Avenue requests rezoning of 0.75 acre, being in D-4 district, to C-1 classification to provide for a medical clinic. Located on the east side of Madison Ave., south of Eureka Avenue in Southport, Indiana, Perry Township (7373-7377 Madison Ave.)

G. O. NO. 146, 1970—

70-Z-104 Southport Package Sales, Inc., 7369 Madison Ave. requests rezoning of approximately 0.50 acre, being in D-4 district, to C-3 classification to provide for retail sales. Located on the southeast corner of Madison & Eureka Avenues in Southport, Perry Township (7369 Madison Avenue).



## G. O. NO. 147, 1970—

70-Z-106 Lee R. Parham, James J. Curts, Henry J. Ostrom, et al by Ostrom-Chance Builders, Inc., 3329 Prospect St. request rezoning of 1.00 acre, being in D-5 district, to D-8 classification to provide for multi-family dwellings. Located on the east side of Madeira Street west side of Earhart St., north of Terrace Ave. in Indianapolis, Center Township (1300 block South Madeira & South Earhart Streets).

## G. O. NO. 148, 1970—

70-Z-107 Floy M. Corrie by Indiana Bell Telephone Co., Inc., 240 North Meridian St. request rezoning of 6.36 acres, being in A-2 district, to C-4 classification to provide for an office building. Located on the northeast corner of Madison Ave. & Marion-Johnson County Line Road in Indianapolis, Perry Township (8900 block Madison Avenue).

## G. O. NO. 149, 1970—

70-Z-108 Frank C. & Lucille Mullinix, 7021 Kingswood Drive request rezoning of 1.97 acres, being in D-5 district, to C-4 classification to provide for a shopping center and offices. Located on the east side of Shadeland Ave., 659' south of 38th St. in Indianapolis, Warren Township (3709 North Shadeland Avenue).

## G. O. NO. 150, 1970—

70-Z-109 Most Reverend George J. Biskup, D. D., Archbishop, Roman Catholic Archdiocese of Indianapolis & Murray R. Fischer by Joseph F. Stevens, 3136 West 16th St. request rezoning of 1.16 acres, being in A-2 district, to C-4 classification to provide for a mortuary. Located on the north side of West 30th St., 239' west of Tibbs Avenue, projected, in Indianapolis, Wayne Township (3400 block West 30th St.)

Which were read for the first time and referred to the Committee on Metropolitan Development.

## CITY-COUNTY GENERAL ORDINANCES NOS. 151-157, 1970

## Introduced by Councilman Egenes:

## G. O. NO. 151, 1970—

70-Z-110 Circle Investment Company, Inc. by Joseph E. Woodfill, 1843 North Meridian St. requests rezoning of 25.00 acres, being in A-2 district to D-6 classification to provide for the construction of an apartment complex. Located on the west side of German Church Road, 493' north of 10th St. in Indianapolis, Warren Township (1100-1200 blocks of German Church Road).

## G. O. NO. 152, 1970—

70-Z-112 Elizabeth J. Davis by T. H. St. Clair, Attorney, 1431 Circle Tower requests rezoning of 2.20 acres, being in D-3 district, to C-3 classification to provide for commercial use. Located on the east side of Madison Avenue, 470' south of Thompson Road in Indianapolis, Perry Township (5047 Madison Avenue).

## G. O. NO. 153, 1970—

70-Z-113 William & Judith Dunn and Paul & Mary Demarco by Philip A. Nicely, Attorney, 1100 First Federal Bldg. request rezoning of 4.00 acres, being in A-2 district, to D-P (Planned Unit Development) to provide for residential use by platting. Located on the south side of East 79th St., 250' west of Ridgeland Dr. in Indianapolis, Washington Township (4461 East 79th Street).

## G. O. NO. 154, 1970—

70-Z-114 Lake County Trust Company by Forest Semones, Attorney, 1109 Hume Mansur Building requests rezoning of 24.10 acres, being in B-6 and A-2 districts to I-2-S classification to provide for expansion of warehousing and distribution use. Located on the north side of West 62nd Street, east of the CCC & St L Railroad in Indianapolis, Pike Township (4000 block West 62nd Street).

## G. O. NO. 155, 1970—

70-Z-115 Paul L. & Jane E. Baldwin by Lester Irons, Attorney,

1313 Merchants Bank Bldg. requests rezoning of 0.79 acre, being in B-6 district, to C-4 classification to provide for a gasoline service station. Located on the south side of Kentucky Ave. (S.R. #67), west of Mooresville Road in Indianapolis, Wayne Township (2820 Mooresville Road—Old Maywood).

G. O. NO. 156, 1970—

70-Z-117 Kenneth G. Foster, Jr. & Earl C. Townsend, Jr., 803 Indiana Bldg. request rezoning of 81.43 acres, being in A-2 district to I-3-S classification to provide for industrial use. Located on the east side of Post Road, north of the B & O RR ROW in Indianapolis, Warren Township (1400 block South Post Road).

G. O. NO. 157, 1970—

70-Z-122 Frieda M. Atkins by Lewca Development Co., Inc. by Richard M. Orr, Attorney, 301 First Federal Building requests rezoning of 1.00 acre, being in D-4 district, to C-4 classification to provide for retail sales. Located on the west side of North Shadeland Avenue approximately 500' south of East 21st Street in Indianapolis, Warren Township (1954 North Shadeland Avenue).

Which were read for the first time and referred to the Committee on Metropolitan Development.

#### ORDINANCES ON SECOND READING

Mr. Cottingham called for second reading of City-County Appropriation Ordinance No. 10, 1970.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Egenes, to amend Appropriation Ordinance No. 10, 1970, as follows:

Indianapolis, Ind., July 6, 1970

Mr. President:

I move that City-County Appropriation Ordinance No. 10, 1970, be amended by removing all reference to appropriations for the Marion County Sheriff and Coroner and that we adopt the amended Ordinance which is appended to this Motion, which all members of the Council have before them, and that the Clerk enter in the journal a copy of the amended ordinance.

DWIGHT L. COTTINGHAM  
Councilman

The motion to amend was unanimously passed, by voice vote.

Mr. Cottingham moved, seconded by Mr. Egenes, for the adoption of City-County Appropriation Ordinance No. 10, 1970, as amended, which reads as follows:

CITY-COUNTY APPROPRIATION ORDINANCE NO. 10, 1970,  
AS AMENDED

AN ORDINANCE transferring, appropriating and reallocating the sum of Twenty two thousand sixty dollars and sixty seven cents (\$22,060.67) from the unexpended, unencumbered and unappropriated balance of the County General Fund to certain other designated funds of Marion County Government and its institutions as created by virtue of the Budget for 1970, City County Ordinance No. 2, 1969 (County Ordinance No. 11, 1969), 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 1970 Budget appropriations, particularly in the Office of Juvenile Court, where the increased case load has necessitated the appointment of another hearing officer and other attendant personnel, and for equipment, thereby creating emergencies which require the expenditure of funds in addition to those appropriated in the annual budget for Marion County Government and its institutions, and

WHEREAS, there are available unexpended, unencumbered, and unappropriated monies in the County General Fund in sufficient amount to make up the deficit between transfer funds and emergency needs,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That the sum of Twenty two thousand sixty dollars and sixty seven cents (\$22,060.67) be and the same is hereby transferred from the unexpended, unappropriated County General Fund under the heading REDUCE and the same is hereby appropriated to the departments shown below under the heading INCREASE as follows, to wit:

## INCREASE:

## COUNTY CLERK

	COUNTY FUND
100 Services Personal	\$ 9,187.50
600 Properties	2,863.55
	<hr/>
	\$11,051.05

## JUVENILE COURT

100 Services Personal	8,509.62
600 Properties	1,500.00
	<hr/>
Total Increase	\$22,060.67

## REDUCE:

## COUNTY FUND

Unappropriated County General Fund	\$22,060.67
	<hr/>
Total Reduction	\$22,060.67

Section 2. This ordinance shall be in full force and effect from and after its passage, and publication as required by law.

City-County Appropriation Ordinance No. 10, 1970, as amended, passed on the following roll call vote:

Ayes: 13, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Reverend Williams, and President Hasbrook.

Mr. Forestal reported that the Committee on Transportation recommended passage of City-County Appropriation Ordinance No. 21, 1970, and City-County General Ordinance No. 125, 1970, and that City-County Appropriation Ordinance No. 19, 1970, be held.

Mr. Forestal called for second reading of City-County Appropriation Ordinance No. 21, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Forestal, seconded by Mr. Egenes, City-County Appropriation Ordinance No. 21, 1970, passed on the following roll call vote:

Ayes: 13, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Reverend Williams, and President Hasbrook.

Mr. Forestal called for second reading of City-County General Ordinance No. 125, 1970.

The Clerk read the ordinance for the second time.

Mr. Forestal moved, seconded by Mr. Egenes, to amend City-County General Ordinance No. 125, 1970, as follows:

Indianapolis, Ind., July 6, 1970

Mr. President:

I move that City-County General Ordinance No. 125, 1970, be

amended by striking out in the title, "and Section 4-911, WHEN TIME LIMITS AND CHARGES SHALL BE IN EFFECT"; in Section 1, after fourth line, everything to Section 2.

JEROME FORESTAL  
Councilman

The amendment passed by unanimous voice vote.

On motion of Mr. Forestal, seconded by Mr. Egenes, the following roll call vote was taken on City-County General Ordinance No. 125, 1970, as amended.

Ayes: 13, viz.: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Reverend Williams, and President Hasbrook.

Mr. Gorham announced that City-County Appropriation Ordinance No. 20, 1970, and City-County General Ordinance No. 133, 1970, will be held, pending the Administration Committee Hearing.

Mr. Egenes announced that since there was no business pending before the Police Special Service District Council or the Fire Special Service District Council, no meetings were held.

Reverend Williams moved, seconded by Mr. Gorham, for adjournment; the motion passed by unanimous voice vote.

The Council adjourned at 7:50 P.M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis and Marion County, held on the 6th day of July, 1970, at 6:30 P.M.

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

*Thomas C. Hasbun*

ATTEST:

President

*Mayaie N. O'Laughlin*

(SEAL)

City Clerk