

REGULAR MEETING

Monday, December 7, 1970, 6:30 P.M.

The 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, December 7, 1970.

President Hasbrook in the Chair.

The Clerk called the roll:

Present: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

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

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

November 30, 1970

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

Gentlemen:

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

GENERAL ORDINANCE NO. 281, 1970, AS AMENDED, to amend Title 1, Chapter 5, of the Municipal Code to provide for the description of the 25 city-county councilmanic electoral districts.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

December 1, 1970

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

Gentlemen:

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

APPROPRIATION ORDINANCE NO. 76, 1970, transferring, reappropriating and reallocating the sum of \$240,000.00 from the Department of Transportation to certain other designated purposes of the same.

GENERAL ORDINANCE NO. 84, AS AMENDED, providing for licensing of dogs, kennels, pet shops and stables; animal exhibition permits and the restraint, impoundment, and disposition of animals found at large; establishing standards for care of animals and operation of kennels, pet shops, and stables and animal exhibitions; establishing procedures for rabies control; providing for fees and penalties for violation.

GENERAL ORDINANCE NO. 285, 1970, authorizing the City to make a temporary loan for the use of the Park General Fund.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

December 7, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY-COUNTY COUNCIL OF THE CITY 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 advertised in the Indianapolis News and the Indianapolis Commercial on November 25 and December 2, 1970, a "Notice to Taxpayers" of a public hearing to be held at 6:30 p.m. on December 7, 1970, in Room 221 of the City-County Building on Appropriation Ordinance No. 75, 1970.

Also, pursuant to the laws of the State of Indiana, I caused to be advertised in the aforementioned papers on November 27 and December 4, 1970, General Ordinance Nos. 259, 264, and 265, 1970.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

December 7, 1970

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of the following City-County Ordinances:

APPROPRIATION ORDINANCE NO. 77, 1970, appropriating

the sum of \$7,000.00 from the County General Fund to certain purposes in the Marion County Jail.

APPROPRIATION ORDINANCE NO. 78, 1970, transferring \$3,100.00, from certain appropriations for the expenses of the Marion County Clerk to certain other purposes of that office.

APPROPRIATION ORDINANCE NO. 79, 1970, transferring \$14,000.00 from certain appropriations for the expenses of the Marion County Board to certain other purposes of that office.

DWIGHT L. COTTINGHAM, Councilman

APPROPRIATION ORDINANCE NO. 80, 1970, transferring \$1,200.00, from certain appropriations for expenses of the Department of Administration, Legal Division to certain other designated purposes of said Division.

JOE T. GORHAM, Councilman

GENERAL ORDINANCE NO. 298, 1970, establishing Title 3 of the Code, providing for standard procedures and regulations for all city and county personnel with relation to vacations and other leave time; establishing general provisions applicable to all offices.

DONALD R. McPHERSON, Councilman

GENERAL ORDINANCE NO. 299, 1970, determining the compensation of the Mayor and members of the City-County Council, effective January 1, 1972, and amending the Indianapolis-Marion County Code, 1970.

THOMAS C. HASBROOK, Councilman

GENERAL ORDINANCE NO. 300, 1970, to amend Title 9, Chapter 13, of the Municipal Code, changing the procedure for obtaining licenses to maintain encroachments against City properties, rights, possessions or things adopting fees and prescribing a penalty for violation.

DONALD R. McPHERSON, Councilman

GENERAL ORDINANCE NOS. 301 thru 304, 1970, rezoning ordinances certified from the Metropolitan Development Commission on Decemeber 3, 1970.

HAROLD J. EGENES, Councilman

GENERAL ORDINANCE NO. 305, 1970, providing for the establishment of rates and charges for the use of the sewerage system by persons discharging a waste which exceeds the average strength and character of sewage normally discharged by a residence, the methods of ascertaining such charges and defining the powers and duties of the Dept. of Public Works.

DONALD R. McPHERSON, Councilman

SPECIAL ORDINANCE NO. 24, 1970, extending the boundaries of the Police Special Service District of the City of Indianapolis.

SPECIAL ORDINANCE NO. 25, 1970, extending the boundaries of the Fire Special Service District of the City of Indianapolis.

SPECIAL ORDINANCE No. 26, 1970, extending the boundaries of the Fire Special Service District of the City of Indianapolis.

WILLIAM A. LEAK, Councilman

President Hasbrook announced that at the November 16th meeting, the ruling on City-County General Ordinance No. 276, 1970, rezoning, returned the ordinance to third reading. President Hasbrook instructed the Clerk to let the record be corrected to show that the Ordinance was denied, on the advice of Legal Counsel, Mr. Elrod.

President Hasbrook called for the introduction of New Ordinances.

INTRODUCTION OF NEW ORDINANCES

CITY-COUNTY APPROPRIATION ORDINANCE NO. 77, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE appropriating and reallocating the sum of Seven Thousand dollars (\$7,000.00) in the County General Fund from the unappropriated County General Fund to certain designated purposes in the Marion County Jail as created by virtue of the Budget for 1970, City-County General Ordinance No. 2, 1969, as amended (County Ordinance No. 11, 1969, as amended) and declaring an emergency.

WHEREAS, an extraordinary condition exists in that an unanticipated daily inmate population of over nine hundred prisoners and unusual increase in food prices, the budgeted amounts for food for the Marion County Jail are inadequate, and an emergency exists for the appropriation of additional funds in order that those confined in the Marion County Jail may be fed for the remainder of the year; and

WHEREAS, there are available unappropriated, unencumbered and unexpended monies in the Marion County General Fund which will be appropriated in sufficient amounts to meet such emergency needs; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

Section 1. The sum of Seven thousand dollars (\$7,000.00) be, and the same is hereby, transferred from the unappropriated County General Fund shown below under the heading REDUCE; and the same be and is hereby, appropriated to the departments and purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

Unappropriated County General Fund	County General Fund \$7,000.00
Total Reductions	<hr/> \$ 7,000.00

INCREASE:

MARION COUNTY JAIL

	County General Fund
200 All other operating expenses	\$ 7,000.00
	<hr/>
Total Increases	\$ 7,000.00

Section 2. This ordinance shall be in full force and effect from and after its passage, publication according to law, and approval of the State Board of Tax Commissioners.

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

CITY-COUNTY APPROPRIATION ORDINANCE NO. 78, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Three thousand one hundred dollars (\$3,100.00) in the County General Fund from certain designated appropriations for the expenses of the Marion County Clerk to certain other designated purposes of that office as created by virtue of the Budget for 1970, City-County General Ordinance No. 2, 1969, as amended (County Ordinance No. 11, 1969, as amended) and declaring an emergency.

WHEREAS, an extraordinary condition exists in that the volume of business in the Clerk's office has resulted in greater use of the Xerox copier than anticipated thereby creating an emergency for the appropriation of additional funds to pay the rental of such equipment for the remainder of the year; and

WHEREAS, there are available unencumbered and unexpended monies appropriated for other purposes of the Marion County Clerk which will be transferred without detriment in sufficient amounts to meet such emergency needs; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

Section 1. The sum of Three thousand one hundred dollars (\$3,100.00) be, and the same is hereby, transferred from the appropriations shown below under the heading REDUCE; and the same be, and is hereby, appropriated to the departments and purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

MARION COUNTY CLERK

	County General Fund
200—All other operating expenses	\$ 3,100.00
	<hr/>
Total Reductions	\$ 3,100.00

INCREASE:

MARION COUNTY CLERK

	County General Fund
600 Properties	\$ 3,100.00
	<hr/>
Total Increases	\$ 3,100.00

Section 2. This ordinance shall be in full force and effect from and after its passage, publication according to law, and approval of the State Board of Tax Commissioners.

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

CITY-COUNTY APPROPRIATION ORDINANCE NO. 79, 1970

Introduced by Councilman Cottingham:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Fourteen thousand dollars (\$14,000.00) in the County General Fund from certain designated appropriations for the expenses of the Marion County Election Board to certain other designated purposes of that office as created by virtue of the Budget for 1970, City-County General Ordinance No. 2, 1969, as amended

(County Ordinance No. 11, 1969, as amended) and declaring an emergency.

WHEREAS, an extraordinary condition exists in that certain estimates of expenses for the 1970 elections were inadequate to meet the required expenses for certain items thereby creating an emergency for the appropriation of additional funds to pay the expenses of the 1970 election; and

WHEREAS, there are available unencumbered and unexpended monies appropriated for such other purposes of the Marion County Election Board which will be transferred without detriment in sufficient amounts to meet such emergency needs; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

Section 1. The sum of Fourteen thousand dollars (\$14,000.00) be, and the same is hereby, transferred from the appropriations shown below under the heading REDUCE; and the same be, and is hereby appropriated to the departments and purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

MARION COUNTY ELECTION BOARD

	County General Fund
100—Services, personal	\$ 8,000.00
600—Properties	6,000.00
	<hr/>
Total Reductions	\$14,000.00

INCREASE:

MARION COUNTY ELECTION BOARD

	County General Fund
200—All other operating expenses	\$14,000.00
	<hr/>
Total Increases	\$14,000.00

Section 2. This ordinance shall be in full force and effect from

and after its passage, publication according to law, and approval of the State Board of Tax Commissioners.

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

CITY-COUNTY APPROPRIATION ORDINANCE NO. 80, 1970

Introduced by Councilman Gorham:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Twelve hundred dollars (\$1,200.00) in the General Fund from certain designated appropriations for expenses of the Department of Administration, Legal Division for certain other designated purposes of said Division as created by virtue of the Budget for 1970, City-County General Ordinance No. 1, 1969, as amended (City General Ordinance No. 34, 1969, as amended), and declaring an emergency.

WHEREAS, the 1970 Budget appropriations for supplies and properties for the Department of Administration, Legal Division, are insufficient to successfully complete the responsibilities of the Department for the balance of the year, and an emergency exists for the appropriation of additional funds for such purposes; and

WHEREAS, there are available unencumbered and unexpended funds which may be transferred in sufficient amounts to meet such emergency needs; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

Section 1. That the sum of Twelve hundred dollars (\$1,200.00) be, and the same is hereby, transferred from the appropriations of the Department of Administration, Legal Division as shown below under the heading REDUCE, and the same be, and is hereby, reappropriated to the same department for other uses and purposes as shown below under the heading INCREASE as follows, to-wit:

REDUCE:

	City-County General Fund
DEPARTMENT OF ADMINISTRATION, LEGAL DIVISION	
1. Services—Personal	\$1,200.00
	<hr/>
Total Reductions	\$1,200.00

INCREASE:

	City-County General Fund
DEPARTMENT OF ADMINISTRATION, LEGAL DIVISION	
3. Supplies	\$ 550.00
7. Properties	\$ 650.00
	<hr/>
Total Increases	\$1,200.00

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, publication pursuant to law, and approval by the State Board of Tax Commissioners.

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

CITY-COUNTY GENERAL ORDINANCE NO. 298, 1970

Introduced by Councilman McPherson:

AN ORDINANCE establishing Title 3 of the Code of Indianapolis and Marion County—1970; providing for standard procedures and regulations for all city and county personnel with relation to vacations and other leave time; establishing general provisions applicable to all offices; and, repealing specific chapters of the Municipal Code of Indianapolis,—1951, as amended, and other ordinances in conflict therewith.

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

Section 1. That Chapter 1, of Title 12 and Chapter 19 of Title 2

of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951 as amended, General Ordinance No. 14, 1956, General Ordinance No. 130, 1964, and General Ordinance No. 6, 1969, are hereby expressly repealed and Title 3 of the Code of Indianapolis and Marion County 1970 is hereby enacted as follows:

TITLE 3

GENERAL OFFICE AND EMPLOYEE REGULATIONS

CHAPTER 1

PERSONNEL PRACTICES

3-101. Definitions.—As used in this chapter, unless the context indicates otherwise, the following words shall have the following meaning, to-wit:

(1) Employee shall include all city and county employees, except policemen, firemensheriff's deputies, and any appointive or elective officer of this city or county or their immediate subordinates whose duties and status are those of an officer.

(2) Vacation leave. Time off granted for annual vacation, or for other personal reasons which are not included in any other leave category defined in this section.

(3) Sick leave. Time off granted an employee whose illness prevents him from working, when such illness is not covered and compensation is not received under the Workmen's Compensation Laws.

(4) Military leave. Time off granted to an employee who is a member of the Indiana National Guard, or of the various reserve forces of the army, navy, marine, coast guard, air or other forces of the United States, when such member is called to active duty therein or in an emergency.

(5) Court leave. Time off granted an employee who is summoned for jury duty, or as a witness in an action in any court.

(6) Leave without pay. Time off granted an employee for which time pay is not authorized, or granted.

(7) Compensatory leave. Time off from regular hours or work, which is granted for work performed, or time served beyond the time constituting the normal work week.

(8) Holiday. Those days defined as such by the statutes of the State of Indiana as they pertain to municipal and county government or otherwise officially declared by the Mayor.

(9) Leave day. Refers to a work day when taken, but for computation purposes herein shall consist of eight leave hours, without regard to the actual length of the work day.

(10) Supervisor. The term supervisor means only those individuals in authority in any office who have been authorized by the officer at its head to carry out the respective office's policies in these matters, and may include any such officer who acts therein for himself, unless the context provides otherwise.

(11) Part-time Employee. An employee who is employed on a year round basis, for but less than the average work week of the office in which such employee works.

3-102. Policy as to leaves of absences of employees.—

(1) Although the policy of leaves of absence, with pay, for regular vacations by employees is hereby approved, the granting of any leave of absence is the responsibility of the officers concerned and should be authorized only when due and justifiable. The provisions of this chapter are declared to be permissive within the proper maximum limits prescribed hereinafter to the granting of leaves of absence and not to indicate or limit the discretionary policy and powers of any office in regard to any such leaves, and the respective officers shall determine the leave policies for their offices, guided by the maximum hereby indicated. The provisions of this chapter are designed to establish a basis for uniformity and equality in the granting of leaves of absence to all employees and to strengthen the authority of officers in respect thereto.

(2) The mayor or any elected county official is hereby granted authority to authorize any officer or office to extend the maximum leaves of absence hereinafter listed for certain specific individuals, or classes of employees when the nature of the work and normal em-

ployment practices make such action advisable for health reasons, or other grounds deemed reasonable by him so justify any exemptions.

(3) The respective offices, departments, divisions, bureaus, and commission of this city and county hereinafter all included for brevity in the words "officer," or "officers," are authorized to certify payrolls when leave is granted to employees, as hereinafter provided.

3-103. Suggested leave schedules.—Leave allowances are indicated in the categories listed below. All leave periods are for the total time in any calendar year. It is recommended that vacation leave be taken for not less than five (5) consecutive work days, or forty (40) work hours. Any employee transferring between city and county officers and departments, shall be considered to be in continued employment for leave purposes and such transfer shall not effect the employees status as to accrued leave or eligibility for leave. The following categories classify each type of leave in any calendar year, to-wit:

A. Vacation Leave

1. (a) Employees with less than ten (10) years total employment shall receive ten (10) vacation leave days.

(b) Employees with ten (10) or more years total employment shall receive fifteen (15) vacation leave days.

(c) Employees with twenty (20) or more years total employment shall receive twenty (20) vacation leave days.

(d) One full day's absence shall be considered eight (8) leave (work) hours in all cases.

2. Vacation leave shall accrue monthly at the rate of five-sixths ($5/6$) leave day per month for employees eligible under 1. (a); one and one-quarter ($1\frac{1}{4}$) leave days per month for employees eligible under 1. (b); and one and two-thirds ($1\frac{2}{3}$) leave days per month for employees eligible under 1. (c).

3. In the first year of service no employee shall take any vacation leave until after six (6) months of continuous employment. Requests for unaccrued vacation leave must be made in writing to the department or division head or office holder.

4. An employee may select the dates of his individual vacation leave, subject to the approval of the supervisor based on work needs of the office, department or division.

5. Part-time employees are entitled to leave; however, leave pay for these employees shall not exceed the rate of their average weekly or monthly salary during the previous six (6) months employment.

6. No leave accrues while employee is on status of leave without pay.

7. Vacation leave taken for five or more consecutive working days shall be charged at the rate of five (5) leave days per calendar week, without regard to length of the work week in the particular department.

8. Vacation leave may not be accrued beyond a maximum of thirty (30) leave days. Vacation leave shall be taken within the calendar year that it is accrued; except that, at the discretion of the official, up to one half year's earned vacation leave may be carried over from one year to the next year.

B. Sick leave

1. All employees shall be entitled to ten (10) days, eighty (80) hours sick leave per year.

2. Sick leave shall accrue at the rate of five-sixths (5/6) day per month.

3. Sick leave cannot be used prior to accrual.

4. Sick leave may accrue without limit.

5. The burden of proof rests with the employee to convince his supervisor that such leave is justifiable. The supervisor may demand a medical certificate or other evidence of illness as requested.

6. In case of malingering, supervisor may designate such leave as vacation leave, leave without pay, or as grounds for dismissal.

C. Military Leave

All employees who are members of the Indiana National Guard or of the reserve components of the army, navy, marine, coast guard, air force or other armed forces of the United States, or who are subject to and are called upon for any military or war duties, under the provisions of any state or federal statute, shall be entitled to a leave of absence from their respective government duties for any periods of time they are so called for and are engaged in any active duties; the first fifteen (15) days of such military leave shall be without loss of time or regular pay; persons who are called to active duty shall be entitled to resume employment after such active duty period shall have ended.

D. Court Leave

Time off with regular pay shall be granted an employee who is summoned for jury duty, or as a witness in an action in any court. Any jury duty or witness fee, so received shall be paid to the controller or county auditor, as the case may be, by such employee and be deposited in the general fund of the city or county.

E. Leave Without Pay

Time off may be granted to an employee for any services for which pay is not authorized. This leave may be authorized when the supervisor determined that no other leave is relevant to the purpose of, or is sufficient for the length of the desired leave. A maximum of ninety (90) days shall be allowed in any one calendar year, except in cases where employees are called to active duty with any of the armed forces aforesaid.

F. Compensatory Leave

May be granted to an employee for time worked in his employment for the city or county beyond the normal work week of the office involved and for which no remuneration is paid. The policy respecting such compensatory leave is to be determined by each officer and in every such instance by the requirements and circumstances of each office, and full discretion is granted therein to all officers and supervisors.

G. Holidays

Legal holidays, as defined in the statutes of the State of Indiana and applicable to municipalities and counties shall be considered holidays for all employees, with full pay for such days, with the exception of those who are employed in functions which must necessarily be continued at all times. For such employees a policy of compensatory leave or overtime, for work on such holidays, shall be determined by the competent authority of each office. The mayor, however, shall have authority to designate any other day as a holiday for employees of the city; during which times all work for the city may be suspended, except for necessary duties which shall continue to be performed by those employees so engaged, or by those so directed by the mayor.

H. Holiday Pay—Hourly Workers

Hourly workers shall be paid for holiday time and shall be paid also "straight time" in addition to holiday time for any and all time authorized for work on a holiday, providing the employee works a regular work day before and after the holiday.

I. Death Leave

Upon the death of a member of the immediate family, i.e., spouse, mother, father, son, daughter, brother, or sister, an employee shall be entitled to receive a maximum for four (4) working days off with pay. These days must, however, be charged against either sick leave or vacation leave accrued and unused at the end of the calendar year. Exceptions to this policy may be granted only by the mayor, or county officer, as the case may be.

3-104. Temporary and occupational leaves.—The head of any office may also approve temporary leaves and occasional leaves, with pay, to permit employees to attend conventions, or short training sessions, or to observe operations in other cities or counties deemed beneficial to government, or for other purposes approved by such officer. Leaves for these purposes shall be granted in addition to the aforesaid leave benefits listed in this chapter; but shall not be so granted to exceed ten additional leave days in any calendar year. The mayor or county officer may grant such leaves, with pay, to

any employee in any instances and for any reasons he deems sufficient.

CHAPTER 2

GENERAL PROVISIONS APPLICABLE TO ALL OFFICES

3-201. Positions, salaries, and compensations.—Unless and except as the number and positions and the salaries and compensation of any or all officers and employees of this city or county are fixed by statute, or by this code, or other ordinances, all thereof shall be established and continued as set up and provided for in each annual budget of the city and county for various departments, divisions, offices, and officers.

3-202. Maps and records.—Any department, division, or official having control of any maps, plans, or other records, may furnish certified copies thereof to anyone desiring same, under such reasonable rules and regulations and at such reasonable prices as may be prescribed thereby. All monies so received from any such sources shall be paid over to the controller, and become a part of the city general fund or county general fund, as the case may be.

3-203. Assignment of wages.—(1) The assignment of future wages to become due to any employee from this city, or from any department thereof, is hereby prohibited and no agreement shall be valid that relieves the city, or of any department thereof, from the obligation to pay such employee the full amount due or to become due therefrom.

(2) All employees of said city, or of any department thereof, agree that upon accepting employment with said city, or with any department thereof, and as a condition precedent, they will not assign, transfer, or sell any future wages to become due to any such employee or employees from the city, or from any department thereof. Any violation thereof shall be cause for discharge.

CHAPTER 3

ADMINISTRATOR OF PERSONNEL PRACTICES

3-301. The Director of Administration is hereby authorized and directed to take those steps necessary to implement compliance with

the policies and procedures stated in this chapter by all departments and agencies of the consolidated city.

3-302. The Director of Administration is specifically authorized to prepare and publish employee manuals and other regulations to advise employees of personnel procedures, provided such actions are not inconsistent with the provisions of this chapter.

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

CITY-COUNTY GENERAL ORDINANCE NO. 299, 1970

Introduced by Councilman Hasbrook:

AN ORDINANCE determining the compensation of the Mayor and members of the City-County Council, effective January 1, 1972, and amending the Code of Indianapolis and Marion County, 1970.

WHEREAS, section 507 of the Consolidated First Class Cities and Counties Act provides that the City-County Council shall by ordinance determine the compensation of the Mayor and members of the City-County Council which shall be paid during the next term of such elective officials; and,

WHEREAS, the compensation as so determined cannot be changed by the council during the term of such officials; and,

WHEREAS, the council desires that such compensation be determined prior to the beginning of filing of candidates for such office for terms beginning January 1, 1972; NOW, THEREFORE,

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

Section 1. The compensation of the Mayor of Indianapolis is determined by amending the Code of Indianapolis and Marion County, 1970, by adding an additional section numbered 2-251 in Title 2, Chapter 2 to read as follows:

2-251. Compensation of Mayor. Effective January 1, 1972, the compensation of the Mayor of Indianapolis is determined and fixed at an annual salary of thirty thousand dollars (\$30,000.00), which amount shall be in addition to the use of an automobile to be provided him by the city, reimbursement of travel, meals and lodging expenses incurred in the performance of the duties of his office, and participation in other employee benefits on the same basis as other city employees.

Section 2. The compensation of members of the City-County Council is determined by amending the Code of Indianapolis and Marion County, 1970, by adding an additional section numbered 2-251 in Title 2, Chapter 1, to read as follows:

2-251. Compensation of Councilmen. Effective January 1, 1972, the compensation of the members of the City-County Council is determined and fixed as follows:

1. Each member of the City-County Council shall receive an annual salary of three thousand six hundred dollars (\$3,600.00); and
2. Each member of the City-County Council shall receive, in addition to the annual salary, a per diem allowance of fifty dollars (\$50.00) for each regular Council meeting attended but not for more than two regular meetings in any calendar month, attendance to be determined solely on the basis of the roll call taken at the opening of each regular meeting; and
3. In addition to the annual salary and per diem, the officers of the council shall receive the following additional compensation:
 - a. The president—one thousand two hundred dollars (\$1,200.00) per annum,
 - b. The vice president, majority leader and minority leader—six hundred dollars (\$600) each per annum,
 - c. The chairman of each standing committee—four hundred dollars (\$400) each, per annum.

No member shall be entitled to but one additional compensation as provided in this paragraph, and the right to each such additional

compensation shall be established by the council resolution providing for the organization of the council.

Section 3. The ordinance shall be effective beginning January 1, 1972.

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

CITY-COUNTY GENERAL ORDINANCE NO. 300, 1970

Introduced by Councilman McPherson:

AN ORDINANCE to amend Title 9, Chapter 13, of the Municipal Code of Indianapolis, 1951, as amended changing the procedure for obtaining licenses to maintain encroachments against City properties, rights, possessions or things adopting fees therefor, prescribing a penalty for violation thereof, and fixing a time when the same shall take effect.

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

Section 1. That Title 9, chapter 13, of the General Ordinance No. 140, 1951, as amended, is hereby amended to read as follows:

CHAPTER 13

Licensing Encroachments

Section 13-100. Jurisdiction. Jurisdiction for licensing of any encroachments against any real, personal or mixed properties, rights, possessions or things owned or controlled by the City of Indianapolis, is hereby vested in the City Controller.

Section 13-101. Encroachment Defined. For the purpose of the Ordinance the word "Encroachment" shall mean and include any unprivileged trespass or intrusion by an animate object or objects on or upon the real, personal or mixed properties, possessions, rights or things owned or controlled by the City of Indianapolis; provided,

however, that if one or more encroaching objects are attached to and form a part of the same structure or thing, taken collectively, they shall be considered as only one (1) encroachment.

Section 13-102. General Prohibition Against Encroachments. No person, firm or corporation shall maintain any encroachment against any real, personal or mixed properties, rights, possessions or things owned or controlled by the City of Indianapolis without first having received a written license so to do from the Controller in accordance with the provisions of this ordinance.

Section 13-103. Procedure to Obtain License. Any person, firm or corporation who hereafter shall desire to maintain an encroachment against any properties, real, personal, mixed or rights, possessions or things, owned or controlled by the City of Indianapolis shall file his, her, their or its petition with department responsible for the use, control or maintenance of such property, on such forms as the Controller may prescribe, requesting of such department that it approves license permitting said encroachment, specifically identifying the property or properties, rights, possession or things, affected and outlining the circumstances giving rise to the need for such license.

Upon the filing of a petition, the department shall cause an investigation of the request and of the circumstances enumerated in said petition to be made. Upon completion of such investigation, the department shall recommend to the controller such license be either granted or denied and if granted, the term and conditions of such license.

Any license granted may be for a determinate terms, unless it involves title to real estate, in which event, it shall be irrevocable so long as the annual licensing fees, hereinafter provided for are paid; Provided, however, if the encroaching object or objects are ever ruled, removed or withdrawn the right to an irrevocable license to encroach shall expire by operation of law. In granting any license hereunder the Controller upon recommendation of the appropriate department may attach such reasonable conditions to such grant as he determines to be in the interest of the public health, safety and welfare.

Within thirty (30) days after any action of the Controller in granting, or refusing to grant any petition hereunder, any person,

firm or corporation, including the City's Corporation Counsel, acting for and on behalf of the City, may take an appeal of such action to the City-County Council of the City of Indianapolis and Marion County, where the petition shall be heard de novo. Any such appeal shall be perfected by written notice delivered to the City Clerk within such thirty (30) day period.

Section 13-104. Application and Licensing Fees. All such petitions to maintain an encroachment shall be accompanied by an application fee of One Hundred Dollars (\$100.00). In the event action upon any petition is favorable, such application fee shall be retained by the Controller as and for the first annual fee. All licenses granted hereunder which may be renewed on an annual basis shall be re-issued on payment of an annual license fee of Twenty-five Dollars (\$25.00). All licenses, unless granted for a lesser determinate period, shall be for a term of twelve months dating from the date of their issuance. In the event of unfavorable action on any petition Fifty Dollars (\$50.00) of the application fee shall be refunded with the remainder being retained and applied to defer the administrative expense incurred in investigating and processing the petition.

In any case in which a license to encroach is granted and the title to a single-family residential dwelling-house is directly involved, 50% of the initial application fee shall be applied toward future renewal fee.

In case of a petition which requests the placing of more than one movable encroachment of like kind, at various locations within the City, one petition may be made to cover more than one similar encroachment, but the application fee shall be One Hundred Dollars (\$100) plus One Dollar (\$1) for each encroachment requested and the annual license fee shall be Twenty-five Dollars (\$25) plus One Dollar (\$1) for each encroachment.

Section 13-105. Penalty. Any person, firm or corporation violating any of the provisions of this ordinance, on conviction thereof shall be fined for each separate offense in the sum of One Hundred Dollars (\$100.00).

Section 13-106. Enforcement. In addition to, and not by way of limitation of, any other provision of this ordinance, any department of the City is hereby authorized and empowered, in behalf of the City of Indianapolis, to enforce this Ordinance by any appropriate remedy,

at law or in equity, or both, in order to effectively and affirmatively preclude any violations hereof.

Section 2. This Ordinance shall be in 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 ORDINANCE NOS. 301
THROUGH 304, 1970

Introduced by Councilman Egenes:

G. O. NO. 301, 1970

70-Z-238 Russell E. & Lovicia Pace, 4141 Lafayette Road requests rezoning of 7.80 acres, being in C-2 & A-2 districts, to C-4 classification to provide for a furniture store. Located on the east side of Lafayette Road, 3200' north of 38th Street in Indianapolis, Pike Township (4233 Lafayette Road).

G. O. NO. 302, 1970

70-Z-239 Dorothy E. White, Ellen Louise Maci & Vernon C. Schakel by James McClarnon, One Indiana Square request rezoning of 0.59 acre, being in I-2-S district, to SU-42 classification to provide for a gas metering and regulating station for Citizens Gas & Coke Utility. Located on the south side of English (Rawles Ave.) 782' west of Post Road in Indianapolis, Warren Township (8800 block English Avenue).

G. O. NO. 303, 1970

70-Z-240 Citizens Gas & Coke Utility by Victor C. Seiter, General Manager, 2020 North Meridian St. & Indianapolis Power & Light Co. request rezoning of 0.73 acre, being in SU district, to SU-42 classification to provide for a gas metering and regulating station. Located 306' south of Edgewood Ave., east side of the Penn. Railroad R-O-W in Indianapolis, Perry Township (1800 block Edgewood Avenue).

G. O. NO. 304, 1970

70-Z-250 Metropolitan Development Commission, 2041 City-County Bldg. requests rezoning of 4.06 acres, being in C-2 district, to C-3 classification to provide for a Village Pantry. Located on the northeast corner of Sherman and Redfern Drives in Indianapolis, Perry Township (3900 block Redfern Drive).

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

CITY-COUNTY GENERAL ORDINANCE NO. 305, 1970

Introduced by Councilman McPherson:

AN ORDINANCE providing for the establishment of rates and charges for the use of the sewerage system by persons discharging a waste which exceeds the average strength and character of sewage normally discharged by a residence, the methods of ascertaining such charges and defining the powers and duties of the Department of Public Works.

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

Section 1. Definitions: The following terms, whenever used or referred to in this ordinance, shall have the following meanings except in those instances where the context clearly indicates otherwise:

- a) "BOD" (denoting biochemical oxygen demand) shall mean quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degees centigrade expressed in milligrams per liter.
- b) "S.S." (denoting suspended solids) shall mean solids that either float on the surface of or are in suspension in water sewage or other liquids, and which are removable by laboratory filtering.
- c) "Board" shall mean the Board of Public Works of the City of Indianapolis.

- d) "Director" shall mean the Director of the Department of Public Works or his authorized Deputy, agent or representative.
- e) "Sanitary Sewage" shall mean a combination of the water-carried wastes from residences, contributed by reason of human occupancy.
- f) "Industrial Waste" shall mean all the liquid wastes from industrial manufacturing processes, trades or businesses, including institutional and commercial operations or from the development or recovery of any natural resources and shall include the liquid waste contributed by reason of employment, but not the waste from residential facilities normally occupied by persons not as transient guests or tenants for less than sixty (60) days in any single period of occupancy.
- g) "Sewage normally discharged by a residence" shall mean the liquid waste contributed by a residential living unit and shall not exceed a volume of 10,500 gallons per month, thirty (30) pounds of BOD per month and thirty-five (35) pounds of S.S. per month.
- h) "Person" shall mean as defined in Chapter 160, Acts of 1953: individuals of either sex; firm; joint ventures; partnerships; corporations; clubs; agencies; instrumentalities; governmental units; the United States of America, the State of Indiana, and all political subdivisions, authorities, districts, departments, agencies, bureaus and instrumentalities thereof; and any, all, and each of the, and all associations or organizations of natural persons, either incorporated or unincorporated, however operated or named and whether acting by themselves, servants, or fiduciary, whether or not of a charitable or eleemosynary character.

Section 2. Rates for Industrial Sewage.

There is hereby established an individual waste rate set forth in Section 3 of this Ordinance to be charged to and collected from any person owning or occupying real estate connected to the City of Indianapolis sewerage system which at any time discharges industrial waste into the above said system which exceeds in strength and character sewage normally discharged by a residence. The rate shall be applicable when the person either uses or is served by the sanitary sewerage system either directly or indirectly and if such

real estate is subject to the special tax levied by Indianapolis Sanitary District Special Taxing District, or is served by Sewer Service Agreement providing for application of the rate in Section 3 hereof.

Section 3. Rate:

The charges for the transportation, treatment and disposal of the industrial waste shall be determined by the amount and the strength of the waste and at the rates as follows:

Volume Charge

For the calendar year 1971 the following monthly charges are hereby imposed on the monthly volume of fluid input into the sanitary sewerage system, viz:

10,500 gallon per month (gpm)	—No Charge
1,500 gpm to 35,500 gpm	—20c per 1,000 gpm
35,500 gpm to 2,000,000 gpm	—16c per 1,000 gpm
2,000,000 gpm to 10,000,000 gpm	—12c per 1,000 gpm
10,000,000 gpm to 50,000,000 gpm	— 8c per 1,000 gpm
Over 50,000,000 gpm	— 6c per 1,000 gpm
Minimum charge on any monthly billing	—\$5.00

The foregoing charges based on volume of fluid input shall be in effect for the calendar year 1971 only and shall cease and terminate on December 31, 1971, except for the collection of such charges occurring during the year 1971.

Strength Charge

For the calendar years 1971, 1972, and 1973, the following monthly charges are hereby imposed on the volume of excess S.S. and/or BOD strength determined by the application of the formula prescribed below, viz:

For the calendar year 1971	\$.0085 per pound, BOD
	.0122 per pound, S.S.
For the calendar year 1972	\$.01275 per pound, BOB
	.0183 per pound, S.S.
For the calendar year 1973	\$.017 per pound, BOD
	.0244 per pound, S.S.
Formula for Determining Excess BOD and S.S. Strength	

$$S = V_s \times .00075 \times 8.34 (\$0.0170 \text{ (BOD-350)} - \$0.0244 \text{ (S.S. -400)})$$

S = Strength charge in dollars

V_s = Sewage volume in hundred cubic feet

.00075 = Hundred cubic feet to million gallons

8.34 = Pounds per gallon of water

\$0.0085 = Unit charge for BOD in dollars per million for 1971*

BOD = BOD strength index of parts per million by weight

350 = Allowed BOD Strength in parts per million by weight

\$0.0122 = Unit charge for suspended solids in dollars per pound for 1971*

S.S. = Suspended solids strength index in parts per million by weight

400 = Allowed S.S. strength in parts per million by weight

* For years 1972 and 1973 substitute charges above specified for those years

Section 4. Charges:

The computation of the total charges shall be by the application of the volume rate formula and the strength rate formula to the monthly industrial waste discharges into the Indianapolis Sewerage system.

Section 5. Billing and Verification

Each such person subject to the rate as defined in Section 2 shall report to the Director by the 10th day of the following month an estimate of the volume discharged the prior month and a representative value of the strength of the waste, BOD and Suspended Solids. All measurements, tests and analyses of the characteristics of such waste shall be determined in accordance with latest edition of "Standard Methods for the Examination of Water and Sewage" as published jointly by the American Public Health Association and the Water Pollution Control Federation or by other methods generally accepted under established sanitary engineering practices and approved by the Director. The reports submitted shall be subject to verification by the Director but may serve as the basis for billing with all necessary adjustments in the amounts to be made after verification. In the event an analysis and volume of the industrial waste is not furnished to the Director by the aforementioned time, the charges shall be based upon estimates made by the Director, as provided in Section 6.

The Director shall have the right to enter upon the land of the person and to set up such equipment as is necessary to verify the reports submitted. It shall be the duty of the person to provide all necessary clearance before entry and not to unnecessarily delay or hinder the Director in carrying out the measuring and sampling. The right of entry shall exist during regular business hours at any time the firm is operating.

In cases where measurements are difficult to make, or the industrial waste composition changes frequently, or representative samples are difficult to get, or where other methods of measurement are necessitated for other sound engineering reasons as determined by the Director, the Director shall have the authority to use such other basis for determining said charges as shall be reliably indicative of volume and BOD and S.S. strength of the particular industrial waste, such as, but not limited to, water purchase or usage, character of products, comparisons between the subject person data and collected data from like person.

All billings for said charges shall be payable within ten (10) days after mailing of billings. All payments made by a person based upon the reports submitted shall become final unless verification is made and notice given by the Director of necessary adjustments within one year of said payment. Underpayment of charges based on errors in users' reports and estimates shall be billed forthwith on ascertainment thereof. Overpayment of charges arising from any cause shall first be applied to unpaid billings and then the excess forthwith refunded.

Section 6. Billing Estimates

The Director shall have the authority to estimate the volume and strength of the industrial waste in the event the person subject to the rate and charges fails to file a timely report as provided in Section 5. The estimates shall be based upon analysis and volumes of a similar installation or the amount of water supplied to the premises by the water utility, the amount of water supplied to the premises by any private sources of water or the volume and analysis as determined by measurements and sample taken by the Director or an estimate determined by the Director by any combination of the foregoing or by any other equitable method. Failure to file written objection to such estimates within ten (10) days after the mailing of written notice thereof to the person liable therefor

shall constitute a waiver of any right to object or appeal the estimates made by the Director pursuant to this section.

Section 7. Contract with Indianapolis Water Company

The Board is authorized to enter into a contract with the Indianapolis Water Company for the use of its services in ascertaining water volume to be utilized in determining charges imposed by this Ordinance and in billing for and collecting such charges and for the payment to it of just and reasonable compensation for its said services.

Section 8. Rules and Regulations

Promptly after the passage of this Ordinance, and from time to time thereafter as may be needed, the Board shall by resolution promulgate rules and regulations necessary to implement and carry out the provisions of this Ordinance and not inconsistent therewith. Before any such rules or regulations shall become effective, the Board shall give notice and hold a public hearing, according to the procedure provided in Chapter 160, Acts of 1953, Section 3, for the establishment of rates and charges.

Section 9. This Ordinance shall be in full force and effect from and after January 1, 1971.

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

CITY-COUNTY SPECIAL ORDINANCE NO. 24, 1970

Introduced by Councilman Leak:

AN ORDINANCE extending the boundaries of the Police Special Service District of the City of Indianapolis, amending the Code of Indianapolis and Marion County, 1970, and fixing a time when the same shall be effective.

WHEREAS, the owners of the real estate hereinafter described have petitioned to have said real estate included within the boundaries

of the Police Special Service District of the City of Indianapolis;
and

WHEREAS, this Council now determines that reasonable and adequate police protection can be provided within such expanded area by the City Police Force and that the extension of such boundaries is in the public interest of the citizens of the Consolidated City of Indianapolis; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY:

Section 1. The boundaries of the Police Special Service District of the City of Indianapolis are hereby extended to include the territory of the consolidated city which is described in Section 2 of this ordinance.

Section 2. Title 1, Chapter 3 of the Code of Indianapolis and Marion County, 1970, is hereby amended to include the following additional section numbered 1-3231, to-wit:

1-3231. POLICE DISTRICT EXTENSION. The Police Special Service District boundaries are extended to include the following described territory, to-wit:

Part of Lots 1, 2, and 3 and the West $\frac{1}{2}$ of Lot 4 in Beverly Subdivision Second Section, recorded in Plat Book 16 at page 142 in the Office of the Recorder of Marion County, Indiana, being more particularly described as follows, to-wit:

Beginning at the intersection of the North line of East Washington Street and the East line of Shortridge Road, as the same now exist, said point being 20 feet North of the Southwest corner of said Lot 1; thence North, along the West line of said Lot 1 and the East line of Shortridge Road, 153.45 feet to the true point of beginning of the herein described tract; thence North, along the East line of Shortridge Road, 200.25 feet to the Northwest corner of said Lot 1; thence East, along the North line of said Lots 1, 2, 3, and 4, 340.97 feet; thence South, along the East line of the West $\frac{1}{2}$ of said Lot 4, 193.775 feet; thence West, 340.97 feet, more or less to the true point of beginning of the herein described tract.

Section 3. This ordinance shall be in full force and effect from and after January 1, 1971.

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

CITY-COUNTY SPECIAL ORDINANCE NO. 25, 1970

Introduced by Councilman Leak:

AN ORDINANCE extending the boundaries of the Fire Special Service District of the City of Indianapolis, amending the Code of Indianapolis and Marion County, 1970, and fixing a time when the same shall be effective.

WHEREAS, the majority of owners of the real property herein-after described have petitioned to have said real estate included within the boundaries of the Fire Special Service District of the City of Indianapolis; and

WHEREAS, the Department of Metropolitan Development has made its findings of fact and recommendations with respect to said petition, which findings of fact and recommendations were mailed to the Indianapolis Fire Chief, Warren Township Trustee and petitioners on November 18, 1970; and

WHEREAS, the Metropolitan Development Commission has recommended approval of the annexation proposed by the petitioners; and

WHEREAS, this council after public hearing now determines that reasonable and adequate fire protection can be provided within such expanded area by the City Fire Force and that the extension of such boundaries is in the public interest of the citizens of the Consolidated City of Indianapolis; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

Section 1. The boundaries of the Fire Special Service District of the City of Indianapolis are hereby extended to include the terri-

tory of the Consolidated City which is described in Section 2 of this ordinance.

Section 2. Title 1, Chapter 3 of the Code of Indianapolis and Marion County, 1970, is hereby amended to include the following additional section numbered 1-3502, to-wit:

1-3502 FIRE DISTRICT EXTENSION. The Fire Special Service District boundaries are extended to include the following described territory, to-wit:

Land being part of the East Half of the Northeast Quarter of Section 25, Township 16 North, Range 4 East, in Marion County, State of Indiana, being more particularly described as follows:

Commencing at the Northeast corner of said half quarter section; running thence west on and along the North line thereof, a distance of 25.00 feet; running thence South parallel to the East line thereof a distance of 25.00 feet to the point of beginning of the real estate described herein; said point of beginning also being the point of intersection of the present corporation limits along the South side of 30th Street and the West side of Franklin Road; running thence West on and along said present corporation line and parallel to the North line of said half quarter section a distance of 250.00 feet to a point 275.00 feet West of the East line of said half quarter section; running thence South and parallel to the East line of said quarter section a distance of 240.00 feet to a point 263.00 feet South of the North line of said half quarter Section; running thence East parallel to the North line thereof a distance of 250.00 feet to the West line of the present corporation line; said point being 25.00 feet West of the East line of said quarter section; running thence North on and along said corporation line and parallel to the East line of said half quarter section a distance of 240.00 feet to the point of beginning; containing in all 1.377 acres.

Section 3. This ordinance shall be in full force and effect from and after January 1, 1971.

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

CITY-COUNTY SPECIAL ORDINANCE NO. 26, 1970

Introduced by Councilman Leak:

AN ORDINANCE extending the boundaries of the Fire Special Service District of the City of Indianapolis, amending the Code of Indianapolis and Marion County, 1970, and fixing a time when the same shall be effective.

WHEREAS, the majority of owners of the real property hereinafter described have petitioned to have said real estate included within the boundaries of the Fire Special Service District of the City of Indianapolis; and

WHEREAS, the Department of Metropolitan Development has made its findings of facts and recommendations with respect to said petition, which findings of fact and recommendations were mailed in the Indianapolis Fire Chief, Warren Township Trustee and petitioners on November 18, 1970; and

WHEREAS, the Metropolitan Development Commission has recommended approval of the annexation proposed by the petitioners; and

WHEREAS, this council after public hearing now determines that reasonable and adequate fire protection can be provided within such expanded area by the City Fire Force and that the extension of such boundaries is in the public interest of the citizens of the Consolidated City of Indianapolis; NOW THEREFORE,

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

Section 1. The boundaries of the Fire Special Service District of the City of Indianapolis are hereby extended to include the territory of the Consolidated City which is described in Section 2 of this ordinance:

Section 2. Title 1, Chapter 3 of the Code of Indianapolis and Marion County, 1970, is hereby amended to include the following additional section numbered 1-3503, to-wit:

3503. FIRE DISTRICT EXTENSION. The Fire Special Service District boundaries are extended to include the following described territory, to-wit:

Part of Lots 1, 2, and 3 and the West $\frac{1}{2}$ of Lot 4 in Beverly Subdivision, Second Section, recorded in Plat Book 16 at page 142 in the Office of the Recorder of Marion County, Indiana, being more particularly described as follows, to-wit:

Beginning at the intersection of the North line of East Washington Street and the East line of Shortridge Road as the same now exist, said point being 20 feet North of the Southwest corner of said Lot 1; thence North, along the West line of said Lot 1 and the East line of Shortridge Road, 153.45 feet to the true point of beginning of the herein described tract; thence North, along the East line of Shortridge Road, 200.25 feet to the Northwest corner of said Lot 1; thence East along the North line of said Lots 1, 2, 3, and 4, 340.97 feet; thence South, along the East line of the West $\frac{1}{2}$ of said Lot 4, 193.775 feet; thence West, 340.97 feet, more or less to the true point of beginning of the herein described tract.

Section 3. This ordinance shall be in full force and effect from and after January 1, 1971.

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

ORDINANCES ON SECOND READING

Mr. Byrum called for a second reading of City-County General Ordinance No. 283, 1970.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Forestal, for the passage of City-County General Ordinance No. 283, 1970.

The ordinance passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Byrum called for a second Reading of City-County General Ordinance No. 284, 1970.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Forestal, for the passage of City-County General Ordinance No. 284, 1970, which passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. McPherson called for a second reading of City-County Appropriation Ordinance No. 75, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. McPherson, seconded by Mr. Leak, City-County Appropriation Ordinance No. 75, 1970, passed on the following roll call vote:

Ayes 10, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes, 4 viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Forestal.

Mr. Egenes called for a third reading of City-County General Ordinance No. 267, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. Egenes, seconded by Mr. Byrum, City-County General Ordinance No. 267, 1970, passed on the following roll call vote:

Ayes 8, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Egenes, Mr. Forestal, Rev. Williams, and President Hasbrook.

Noes 6, viz: Mr. Cottingham, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas.

Mr. Egenes called for a second reading of City-County General Ordinance No. 261, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Cottingham, City-County General Ordinance No. 261, 1970, passed on the following roll call vote:

Ayes 8, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. SerVaas, and President Hasbrook.

Noes 6, viz: Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, and Rev. Williams.

Mr. Byrum moved to strike City-County Appropria-

tion Ordinance No. 47, 1970, and City-County General Ordinance No. 183, 1970, seconded by Mr. Cottingham.

City-County Appropriation Ordinance No. 47, 1970 and City-County General Ordinance No. 183, 1970 were stricken from the records on the following roll call vote:

Ayes 10, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes, 4 viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Forestal.

OLD BUSINESS

Mr. Byrum moved, seconded by Mr. Egenes to adopt Special Resolution No. 45, 1970, which reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 1970

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

Section 1. That the Council Delegate to the Rules and Policy Committee authority to study, to contract for study, to research, and to make recommendations for such legislative changes as to the procedure for awarding of contracts by the City-County Council for the investigation and study of the various departments under budgetary control of the City-County Council and specifically authorizes the Chairman of the Rules and Policy Committee to enter into contracts for such studies and research and allow expenditures to make such investigations with outside firms, individuals, or corporations as the Rules and Policy Committee may determine.

Section 2. That the Rules and Policy Committee immediately study the need for such research studies or investigations concerning the

future of the Data Processing Agency and the Health and Hospital Corporation and to report its findings by committee report back to the City-County Council.

The Resolution passed by unanimous voice vote.

President Hasbrook appointed Mr. William Brown to the Metropolitan Development Committee to replace Mr. Moriarty. Mr. Neal was appointed to Parks and Recreation Committee.

NEW BUSINESS

Mr. Brown asked the Clerk to read a letter from Mrs. Kay Thacker, President of the Southeast Side Anti-Pollution Organization. This was referred to the Public Works Committee for study.

Mr. SerVaas moved, seconded by Mr. McPherson, to adopt City-County Special Resolution No. 44, 1970, which reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 1970

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

Section 1. That the Director of the Metropolitan Development Commission be directed to prepare a preliminary plan which would permit the Council to conceptualize how a new 29-member Council would be seated, how the Council would function, public hearing areas, office space needed, etc., and report to the Council Committee on Rules and Policy at the earliest possible date, but no later than February 5, 1971.

The motion passed by unanimous voice vote.

After a discussion on the Elmira Street incident, involving Judge Niblack's permanent restraining order, Mr. McPherson moved, seconded by Mr. Byrum, to instruct the Legal Department to appeal Judge Niblack's ruling of the ability of the Council to conduct hearings. The motion was unanimously carried.

On motion of Rev. Williams, seconded by Mr. Gorham, the meeting adjourned at 8:35 P.M.

We hereby certify that the above and foregoing is full, true and complete record of the proceedings of the City-County Council of Indianapolis and Marion County, held on the 7th day of December, 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.



ATTEST:

President



(SEAL)

City Clerk