

REGULAR MEETING

Monday, March 1, 1971, 6:30 P.M.

The regular meeting of the City-County Council of the City of Indianapolis and Marion County convened in the Council Chambers of the City-County Building at 6:30 P.M. on Monday, March 1, 1971.

Mr. SerVaas in the chair.

The Clerk called the roll.

Present: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal and Chairman SerVaas.

Absent: Mr. Gorham, Rev. Williams, and President Hasbrook.

Mr. McPherson moved, seconded by Mr. Neal, to dispense with the reading of the Journal of the previous meeting, which passed by unanimous voice vote.

Chairman SerVaas called for the reading of Communications from the Mayor and other City-County Officials.

COMMUNICATIONS FROM THE MAYOR AND
OTHER CITY-COUNTY OFFICIALS

February 16, 1971

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE

COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-MARION COUNTY:

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. 1, 1971, AS AMENDED, appropriating the sum of \$7,380.00 in the County Fund to designated purposes of the County Prosecuting Attorney.

APPROPRIATION ORDINANCE NO. 2, 1971, appropriating the sum of \$5,742.00 in the County Fund from designated purposes of the County Treasurer to other funds of that office.

GENERAL ORDINANCE NO. 11, 1971, an ordinance to amend the Municipal Code, Title 4, Chapter 7, Section 708.1, Vehicles Must Stop Before Crossing Railroad Tracks.

GENERAL ORDINANCE NO. 15, 1971, AS AMENDED, an ordinance to amend the County Code of Marion County, 1966, as amended, Title 9, Chapter 9.04, Preferential Streets and Thru Streets Established.

GENERAL ORDINANCE NO. 16, 1971, AS AMENDED, an ordinance to amend the Municipal Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 17, 1971, AS AMENDED, an ordinance to amend the Municipal Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 18, 1971, AS AMENDED, creating a Commission on Youth within the Office of the Mayor.

SPECIAL ORDINANCE NO. 1, 1971, changing the names of certain streets and roadways in Marion County.

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SPECIAL RESOLUTION NO. 7, 1971, a resolution on the passing of John Worth Kern, former Mayor of the City of Indianapolis.

Respectfully submitted,

MAYOR RICHARD G. LUGAR

March 1, 1971

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 twice in the Indianapolis News and the Indianapolis Commercial on February 18, 1971, and again on February 25, 1971, a "Notice to Taxpayers" of a public hearing to be held on March 1, 1971, at 6:30 P.M. in Room 221 of the City-County Building on Appropriation Ordinance Nos. 4 and 5, 1971.

Also pursuant to the laws of the State of Indiana, I caused to be advertised in the aforementioned newspapers on February 19, 1971, and again on February 26, 1971, General Ordinance Nos. 11, 15 (as amended), 16 (as amended), 17 (as amended), and Special Ordinance No. 1, 1971.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

March 1, 1971

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

Gentlemen:

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

GENERAL ORDINANCE NOS. 35-39, 1971, rezoning ordinances certified from the Metropolitan Development Commission on February 22, 1971.

HAROLD J. EGENES, Councilman

GENERAL ORDINANCE NO. 40, 1971, an ordinance amending Title 1, Chapter 4, of the Code of Indianapolis-Marion County, 1970, by changing certain ward boundaries.

DONALD R. McPHERSON, Councilman

SPECIAL RESOLUTION NO. 9, 1971, a resolution of the City-County Council endorsing and supporting the request made by the State Department of Mental Health to restore line 1049 of House Bill 1247 to the full amount requested for the Marion County Association for Retarded Children.

ROZELLE BOYD, Councilman
THOMAS C. HASBROOK, President

SPECIAL RESOLUTION NO. 10, 1971, a resolution memorializing the Congress of the United States to enact legislation pending in both houses, commonly known as The National Health Security Program.

JEROME FORESTAL, Councilman

Chairman SerVaas called for the Introduction of New Ordinances.

INTRODUCTION OF NEW ORDINANCES

CITY-COUNTY GENERAL ORDINANCES

GENERAL ORDINANCE NOS. 35 THRU 39, 1971

Introduced by Councilman Egenes:

G. O. NO. 35, 1971

71-Z-18 Kenneth J. Sidebottom, et al by Yeager Contracting Co., Inc., by Robert K. Yeager, President, 5972 Madison Ave. request rezoning of 57.55 acres, being in A-2 district, to D-3 classification to provide for residential use by platting. Located on the west side of South Sherman Dr., 1183.38' south of Southport Road in Indianapolis, Perry Township (7200-7500 blocks South Sherman Drive).

G. O. NO. 36, 1971

71-Z-19 Eugene Daulton, et al by Yeager Contracting Co., Inc. by Robert K. Yeager, President, 5972 Madison Ave. request rezoning of 29.70 acres, being in A-2 district, to D-3 classification to provide for residential use by platting. Located on the east side of Sherman Drive, 1579.5' south of Southport Road in Indianapolis, Perry Township (7300-7500 blocks South Sherman Drive).

G. O. NO. 37, 1971

71-Z-20 Wilbur J. Boehle, et al by Yeager Contracting Co., Inc. by Robert K. Yeager, President, 5972 Madison Ave. request rezoning of 22.75 acres being in A-2 district, to D-3 classification to provide for residential use by platting. Located on the south side of Southport Road, 502' west of Sherman Dr. in Indianapolis, Perry Township (3400-3600 blocks Southport Road).

G. O. NO. 38, 1971

71-Z-25 Board of School Trustees of the School Town of Speedway by Civil Town of Speedway, Indiana by J. C. Burris, Attorney, 614 Union Title Bldg. request rezoning of approximately 1.45 acres, being in SU-2 district, to SU-9 classification to provide for a fire substation. Located on the south side of West 25th Street, 2292.8' west of Lynhurst Drive, Speedway, Wayne Township (5600 block West 25th Street).

G. O. NO. 39, 1971

71-AO-1 The Metropolitan Development Commission of Marion County, Indiana proposes amendment to said Marion County Council Ordinance No. 8-1957, as amended, and the IMPROVEMENT LOCATION PERMIT ORDINANCE of Marion County, Indiana, Ordinance 68-AO-11, adopted as an amendment thereto, by the adoption of Ordinance 71-AO-1, setting forth regulations, requirements and definitions regarding improvement location permits issued by the Metropolitan Development Commission for structures, land improvements and uses within Marion County, Indiana.

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

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1971

Introduced by Councilman McPherson:

AN ORDINANCE amending Title 1, Chapter 4 of the Code of Indianapolis and Marion County, 1970, by changing certain ward boundaries.

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

Section 1. Section 1-401, the code of Indianapolis and Marion County, 1970, subsections (1), (2), (3), (7), (9), (11), (13), (23), (29), (30) and (32) are amended to read as follows:

(1) FIRST WARD. Beginning at the intersection of Temple and 38th Street; running thence east on and along the center line of 38th Street to the center line of Emerson Avenue; running thence south on and along the center line of Emerson Avenue to the center line of 30th Street; running thence northwest on and along the center line of 30th Street to the center line of Massachusetts Avenue; running thence southwest on and along the center line of Massachusetts Avenue to the center line of Valley; running thence west on and along the center line of Valley to the center line of Roosevelt; running thence northeast on and along the center line

of Roosevelt to the center line of Caroline; running thence north on and along the center line of Caroline to the center line of Bloyd; running thence east on and along the center line of Bloyd to the center line of Keystone; running thence north on and along the center line of Keystone to the center line of Keystone Way; running thence southeast on and along the center line of Keystone Way to the center line of 23rd Street; running thence east on and along the center line of 23rd Street to the center line of Wheeler; running thence north on and along the center line of Wheeler to the center line of 28th Street; running thence west on and along the center line of 28th Street to the center line of Eastern Avenue; running thence north on and along the center line of Eastern Avenue to the center line of 30th Street; running thence west on and along the center line of 30th Street to the center line of Temple Avenue; running thence north on and along the center line of Temple Avenue to the center line of 38th Street, said point being the place of beginning.

(2) SECOND WARD. Beginning at the intersection of 10th Street and Massachusetts; running thence east on and along the center line of 10th Street to the center line of Sherman Drive; running thence north on and along the center line of Sherman Drive to the center line of 21st Street; running thence west on and along the center line of 21st Street to the center line of Massachusetts; running thence southwesterly on and along the center line of Massachusetts to the center line of 10th Street, said point being the place of beginning.

(3) THIRD WARD. Commencing at the intersection of 15th Street and Alabama; running thence north on and along the center line of Alabama to the center line of 21st Street; running thence east on and along the center line of 21st Street to the center line of New Jersey; running thence north on and along the center line of New Jersey to the center line of Fall Creek; running thence northeast on and along the center line of Fall Creek to the center line of 38th Street; running thence east on and along the center line of 38th Street to the center line of the I. U. or Monon Railroad; running thence south on and along the center line of the I. U. or Monon Railroad to the center line of 15th Street; running thence west on and along the center line of 15th Street to the center line of Central; running thence north on and along the center line of Central to the center line of 15th Street; running thence west on and along the center line of 15th Street to the center line of Alabama, said point being the point of beginning.

(7) SEVENTH WARD. Beginning at the intersection of New Jersey and Fall Creek; running thence west and southwesterly on and along the center line of Fall Creek to the center line of Stadium Drive or Indiana Avenue; running thence south on and along the center line of Stadium Drive or Indiana Avenue to the center line of 10th Street; running thence east on and along the center line of 10th Street to the center line of Capitol; running thence north on and along the center line of Capitol to the center line of 16th Street; running thence east on and along the center line of 16th Street to the center line of Alabama; running thence north on and along the center line of Alabama to the center line of 21st Street; running thence east on and along the center line of 21st Street to the center line of New Jersey; running thence north on and along the center line of New Jersey Street to the center line of Fall Creek, said point being the place of beginning.

(9) NINTH WARD. Beginning at the intersection 21st Street and Massachusetts; running thence east on and along the center line of 21st Street to the center line of Sherman Drive; running thence south on and along the center line of Sherman Drive to the center line of 10th Street; running thence west on and along the center line of 10th Street to the center line of Oakland; running thence south on and along the center line of Oakland to the center line of Michigan Street; running thence east on and along the center line of Michigan to the center line of Emerson; running thence north on and along the center line of Emerson to the center line of 30th Street; running thence northwesterly on and along the center line of 30th Street to the center line of Massachusetts; running thence southwesterly on and along the center line of Massachusetts to the center line of 21st Street, said point being the place of beginning.

(11) ELEVENTH WARD. Beginning at the intersection of 10th Street and West Street; running thence east on and along the center line of 10th Street to the center line of Capitol Avenue; running thence south on and along the center line of Capitol Avenue to the center line of 9th Street; running thence east on and along the center line of 9th Street to the center line of Pennsylvania; running thence south on and along the center line of Pennsylvania to the center line of St. Clair; running thence east on and along the center line of St. Clair to the center line of the Monon Railroad; running thence southwesterly on and along the center line of the Monon Railroad to the center line of Pine Street; running thence south on

and along the center line of Pine Street to the center line of Washington Street; running thence west on and along the center line of Washington Street to the center line of West Street; running thence north on and along the center line of West Street to the center line of 10th Street, said point being the place of beginning.

(13) THIRTEENTH WARD. Beginning at the intersection of White River and Ray Street Extended; running thence east on and along the center line of Ray Street extended and Ray Street to the center line of Madison Avenue Expressway; running thence southeast on and along the center line of Madison Avenue Expressway to the center line of Prospect; running thence east on and along the center line of Prospect to the center line of Shelby; running thence south on and along the center line of Shelby to the center line of Pleasant Run Parkway, North Drive; running thence southwest on and along the center line of Pleasant Run Parkway, North Drive to the center line of Ringold Street; running thence north on and along Ringold Street to the center line of Minnesota; running thence west on and along the center line of Minnesota to the center line of East Street; running thence south on and along the center line of East Street to the center line of the I. U. Railroad; running thence west on and along the center line of the I. U. Railroad parallel to Beecher Street to the center line of the Penn Central Railroad; running thence southeast on and along the center line of the Penn Central Railroad to the center line of Berwyn; running thence east on and along the center line of Berwyn to the center line of Allen; running thence south on and along the center line of Allen to the center line of Albany; running thence east on and along the center line of Albany to the center line of Manker; running thence south on and along the center line of Manker to the center line of Troy; running thence west on and along the center line of Troy to the center line of White River; running thence north northeasterly on and along the center line of White River to the center line of Ray Street extended, said point being the place of beginning.

(23) TWENTY-THIRD WARD. Commencing at the intersection of 38th Street and the Nickel Plate Railroad; running thence east on and along the center line of 38th Street to the center line of Temple Street; running thence south on and along the center line of Temple Street to the center line of 30th Street; running thence east on and along the center line of 30th Street to the center line of Eastern Avenue; running thence south on and along the center line of Eastern Avenue to the center line of 28th Street; running thence

east on and along the center line of 28th Street to the center line of Wheeler Street; running thence south on and along the center line of Wheeler Street to the center line of 23rd Street; running thence west on and along the center line of 23rd Street to the center line of Rural Avenue; running thence northwesterly on and along the center line of Keystone Way to the center line of Keystone Avenue; running thence south on and along the center line of Keystone Avenue to the center line of Bloyd Street; running thence west on and along the center line of Bloyd Street to the center line of Caroline Street; running thence south on and along the center line of Caroline to the center line of Roosevelt Street; running thence west on and along the center line of Roosevelt Street to the center line of Valley Street; running thence southeasterly on and along the center line of Valley Street to the center line of Massachusetts Avenue; running thence southwesterly on and along the center line of Massachusetts Avenue to the center line of the Nickel Plate Railroad; running thence northeasterly on and along the center line of the Nickel Plate Railroad to the center line of 38th Street, said point being the place of beginning.

(29) TWENTY-NINTH WARD. Commencing at the intersection of I-465 and 38th Street; running thence east on and along the center line of 38th Street to the east line of Wayne Township; running thence south on said Wayne Township Line to the center line of 16th Street; running thence west on and along the center line of 16th Street to the center line of the Penn Central Railroad; running thence north on and along the center line of the Penn Central Railroad to the center line of Section 29 Township 16 North Range 3 east; running thence west on the south line of the northwest Section 29 Township 16 North Range 3 east to the Corporate Boundary Line of the Town of Speedway; running thence north on and along the Speedway Corporate Line, said line being 200 feet west of and parallel to Falcon Drive, to the point where the said Speedway Corporate Limit Line turns west; running thence west and south and at all times following said Speedway Corporate Limit Line to the center line of Georgetown Road; running thence north on and along the center line of Georgetown Road to the center line of 30th Street; running thence west on and along the center line of 30th Street to the center line of Moeller Road; continuing thence west on and along 30th Street extended west, said line also being the south boundary of the property owned by the Indianapolis Park District, to a point said point being where the Corporate Limit Line of the City of Indianapolis turns north; running thence north on and along said Corporate Limit Lines and the west boundary of the

aforementioned park to a point, said point being where the Indianapolis Corporate Limit Line turns west; running thence west on and along said Corporate Limit Line to its intersection with High School Road; running thence south on and along the center line of High School Road to the south line of Section 23 Township 16 North Range 2 east, said south line also being the Corporate Limit Line of the City of Indianapolis; running thence west on the aforementioned south line to the center line of I-465; running thence north on and along the center line of I-465 to the center line of 38th Street, said point being the place of beginning.

(30) THIRTIETH WARD. Beginning at the intersection of Emerson and Raymond Street; running thence west on and along the center line of Raymond Street to the center line of the Pennsylvania Railroad; running thence south on and along the center line of the Pennsylvania Railroad to the center line of Berwyn; running thence east on and along the center line of Berwyn to the center line of Allen; running thence south on and along the center line of Allen to the center line of Albany; running thence east on and along the center line of Albany to the center line of Manker; running thence south on and along the center line of Manker to the center line of Troy; running thence east on and along the center line of Troy to the center line of Perkins; running thence north on and along the center line of Perkins to the center line of Southern; running thence east on and along the center line of Southern to the center line of Sherman Drive; running thence north on and along the center line of Sherman Drive to a point where the northern most boundary of the City of Beech Grove angles 90 degrees to the east; running thence east on and along said line parallel to Southern Avenue to a point where the City of Beech Grove Boundary turns 90 degrees to the south; running thence on and along said line to a point where the City of Beech Grove Boundary angles southeast parallel to Bethel; running thence on and along said line parallel to Bethel to the center line of Emerson; running thence north on and along the center line of Emerson to the center line of Raymond, said point being the place of beginning.

(32) THIRTY-SECOND WARD. Commencing at the intersection of I-465 and 38th Street; running thence north on and along the center line of I-465 to the center line of 46th Street; running thence east on and along the center of 46th Street to the center of High School Road; running thence south approximately 800 feet to the Indianapolis Corporate Limit Line; running thence east on and along said Corporate Limit Line 450 feet; running thence north on

and along said Corporate Limit Line 400 feet; running thence east on and along said Corporate Limit line 875 feet; running thence north on and along said Corporate Limit Line 100 feet; running thence east on and along said Corporate Limit Line 150 feet; running thence north on and along said Corporate Limit Line 100 feet; running thence east on and along said Corporate Limit Line 150 feet; running thence north on and along said Corporate Limit Line 300 feet to the center of 46th Street; running thence east on and along 46th Street 600 feet; running thence south on and along said Corporate Limit Line 2400 feet; running thence west on and along said Corporate Limit Line 1800 feet; running thence north on and along said Corporate Limit Line 150 feet; running thence west on and along said Corporate Line 250 feet to the center of High School Road; running thence south on and along the center line of High School Road to a point, said point being on the City of Indianapolis Corporate Limit Line and also being 800 feet north of Gateway Drive; running thence east on and along the said Corporate Limit Line 3500 feet; running thence south on and along said Corporate Limit Lines 2000 feet; running thence east on and along said Corporate Limit Line 450 feet to the center of Moeller Road; running thence south on and along the center of Moeller Road to the center line of 38th Street; running thence west on and along the center line of 38th Street to the center line of I-465, said point being the place of beginning.

Also the following:

Commencing at the intersection of Lafayette Road and 38th Street; running thence east on and along 38th Street to the center line of the New York Central Railroad; running thence north on and along the New York Central Railroad a distance of 1320 feet to a point, said point also being where the Indianapolis Police and Fire District Line turns west; running thence west on said Police and Fire District Line to the center line of Lafayette Road; running thence southeasterly on and along the center line of Lafayette Road to the center line of 38th Street, said point being the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after passage and approval by the Mayor.

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

Chairman SerVaas called for Ordinance on Second Reading.

ORDINANCES ON SECOND READING

Mr. McPherson reported that the Committee on Public Works recommended passage of Special Resolution No. 5, 1971, and that General Ordinance No. 256, 1970, be held.

Mr. McPherson called for a second reading of City-County Special Resolution No. 5, 1971.

The Clerk read the resolution for the second time.

Mr. McPherson moved, seconded by Mr. Byrum, for the passage of City-County Special Resolution No. 5, 1971.

The resolution passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal, and Chairman SerVaas.

Mr. Byrum reported that the Committee on Transportation recommended passage of General Ordinance No. 25, 1971, and that General Ordinance No. 300, 1970, and General Ordinance No. 26, 1971, be amended and passed.

Mr. Byrum called for a second reading of City-County General Ordinance No. 300, 1970.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. McPherson, to amend General Ordinance No. 300, 1970, as follows:

Indianapolis, Ind., February 1, 1971

Mr. President:

I move that City-County General Ordinance No. 300, 1970, be amended by striking out in lines 10, 11, 12, 13, 14, and 15, of Page 2, the words: "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." Also, the word "or" at the beginning of line 20 of Page 2, and inserting in lieu thereof the following: After the word "term." in line 10, Page 2, the words, "and may be revoked by the City Controller on thirty (30) days notice, with appropriate partial refund of licensing fees theretofore paid." Also, in line 20, Page 2, after the word "grant." insert the words "or revoking."

WILLIAM K. BYRUM, Councilman

The motion to amend passed by unanimous voice vote.

Mr. McPherson moved, seconded by Mr. Byrum, to further amend General Ordinance No. 300, 1970, as amended, as follows:

Indianapolis, Ind., March 1, 1971

Mr. President:

I move that General Ordinance No. 300, 1970, be amended by adding to Section 13-104 the following additional paragraph:

Provided, if the Department of Transportation determines that a valuable consideration will be received by the City as a result of the encroachment, the Director of the Department may waive the license fee provided in this section by informing the Controller in writing of his action.

DONALD R. McPHERSON, Councilman

The motion to amend passed by a voice vote of 10 ayes and 1 no.

Mr. Byrum moved, seconded by Mr. McPherson, for the passage of City-County General Ordinance No. 300, 1970, as amended.

The ordinance, as amended, passed on the following roll call vote:

Ayes 9, viz: Mr. Boyd, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal, and Chairman SerVaas.

Noes 2, viz: Mr. Broderick and Mr. Brown.

Mr. Byrum called for a second reading of City-County General Ordinance No. 25, 1971.

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. 25, 1971.

The ordinance passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal, and Chairman SerVaas.

Mr. Byrum called for a second reading of City-County General Ordinance No. 26, 1970.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Egenes, to amend General Ordinance No. 26, 1971, as follows:

Indianapolis, Ind., March 1, 1971

Mr. President:

I move that General Ordinance No. 26, 1971 be amended by striking out of Section 1, line 5, the word "east" and inserting in lieu thereof the following "west."

WILLIAM K. BYRUM, Councilman

The motion to amend passed by unanimous voice vote.

Mr. Byrum moved, seconded by Mr. Leak, for the passage of City-County General Ordinance No. 26, 1971, as amended.

The ordinance, as amended, passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown,

Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal, and Chairman SerVaas.

Mr. Cottingham reported that the Committee on County & Townships recommended passage of Appropriation Ordinance Nos. 4 and 5, 1971.

Mr. Cottingham called for a second reading of City-County Appropriation Ordinance No. 4, 1971.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Boyd, for the passage of City-County Appropriation Ordinance No. 4, 1971.

The ordinance passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal, and Chairman SerVaas.

Mr. Cottingham called for a second recording of City-County Appropriation Ordinance No. 5, 1971.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Egenes, for the passage of City-County Appropriation Ordinance No. 5, 1971.

The ordinance passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Mr. McPherson, Mr. Neal, and Chairman SerVaas.

NEW BUSINESS

Mr. Leak made the following motion, seconded by Mr. Egenes:

March 1, 1971

Mr. President:

I wish to nominate Mr. Russell C. Hagermann, a Republican from Councilmanic District No. 1, and Mr. Bernard Hanley, a Democrat from Councilmanic District No. 8, as the Council appointees to the Human Rights Commission for four-year terms, filling the Republican and Democratic vacancies existing on the Commission.

WILLIAM A. LEAK, Councilman

Mr. Leak moved, seconded by Mr. Cottingham, that the nominations be closed and the Clerk instructed to cast an unanimous ballot for Mr. Hagermann and Mr. Hanley.

The motion passed by unanimous voice vote.

Mr. Boyd requested that the acting Chairman of the Human Rights Commission furnish a report on the progress made in the selection of a Director of the Human Rights Commission.

Mr. Boyd moved, seconded by Mr. Cottingham, to adopt City-County Special Resolution No. 9, 1971, which reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 9, 1971

WHEREAS, the City-County Council has already expressed its concern for services to the mentally retarded as evidenced by its significant budget support of the Marion County Association for Retarded Children; and

WHEREAS, the Council during the 1970 Budget hearings requested the MCARC to explore the possibilities of securing increased financial assistance from the state government to help meet the needs of an expanding program; and

WHEREAS, the MCARC has been instrumental in bringing about a request by the State Department of Mental Health that the state legislature support community retardation programs at 50% of their budget operating level; and

WHEREAS, such request in the amount of \$9,846,401.00 was submitted by the State Department of Mental Health and then subsequently cut to the amount of \$3,200,000.00; and

WHEREAS, this amount now identified in Line 1049 of House Bill 1247 would make only one-half million dollars available to the MCARC for the 1972-73 biennium or one-third of the 1.5 million which would be available if the original request were honored; and

WHEREAS, such reduction would be drastically curtail much needed services of the MCARC and would not allow the MCARC to make even near optimum use of its new Comprehensive Community Mental Retardation Center.

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

That the City-County Council endorse and support the request

made by the State Department of Mental Health and convey this resolution to the Marion County delegation to the General Assembly as a request that they support the restoration of line 1049 of House Bill 1247 to the full amount as originally requested.

The resolution passed by unanimous voice vote.

Mr. Forestal introduced City-County Special Resolution No. 10, 1971, which reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 10, 1971

A RESOLUTION memorializing the Congress of the United States to enact legislation pending in both houses, commonly known as THE NATIONAL HEALTH SECURITY PROGRAM.

WHEREAS, there is now pending in the Senate of the United States, S. 3, and in the House of Representatives of the United States, HR 22, legislation commonly known as THE NATIONAL HEALTH SECURITY PROGRAM, and

WHEREAS, said PROGRAM, if enacted, will assume full medicaid and medicare costs, and

WHEREAS, said PROGRAM, if enacted, will provide comprehensive benefits to Municipal and County employees at no cost to local government, and

WHEREAS, the reforms included in said PROGRAM, if enacted, will help bring quality medical care to all residents of Indianapolis, and

WHEREAS, the PROGRAM, if enacted, will permit local health agencies full participation in planning, coordination and licensing of health, education and care facilities,

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

Section 1. The City-County Council, on behalf of all the citizens of Indianapolis and Marion County, Indiana, declare its support of and urges passage of pending legislation in the Congress of the United States, commonly referred to as THE NATIONAL HEALTH SECURITY PROGRAM.

Section 2. The City-County Council encourages and requests the citizens of this County to support and encourage passage of this legislation by writing their respective Senators and Congressmen.

Section 3. The Clerk of the Council is directed to forward authenticated copies of this Resolution to each of the United States Senators of the State of Indiana and, in addition, to each of the eleven (11) Representatives in Congress of the State of Indiana.

Which was referred to the Committee on Rules & Policy.

Mr. SerVaas requested that copies of the Senate Bill 3, and House of Representatives Bill 22, be obtained for the Council.

Mr. SerVaas reported that the next Rules & Policy Committee meeting would be held on Monday, March 8, 1971, at 3:00 P.M.

Mr. SerVaas read the following motion:

March 1, 1971

Mr. President:

I move that the Council intervene in the citizens' lawsuit filed against the State Board of Tax Commissioners as Cause No. S771-189 in Superior Court Room 3, to enjoin the Commissioners from increasing tax rates, levies, and budgets above those established by the

County Tax Adjustment Board, and to certify those rates for Indianapolis and Marion County governmental and educational units, and that the Corporation Counsel be directed to join in this suit on behalf of the Council and actively participate in its successful prosecution.

BEURT R. SERVAAS, Majority Leader

Mr. Forestal requested a recess for discussion of this motion.

The Council recessed at 7:42 P.M.

The Council reconvened at 7:50 P.M.

Mr. SerVaas moved, seconded by Mr. McPherson, for the adoption of his motion.

The motion passed on the following roll call vote:

Ayes 8, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Leak, Mr. McPherson, Mr. Neal, Rev. Williams, and Chairman SerVaas.

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

Rev. Williams was present in the Council Chambers before the vote was taken.

Mr. Leak moved, seconded by Mr. Boyd, to adjourn the meeting at 7:53 P.M., which was passed by unanimous voice vote.

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-Marion County held on the 1st day of March, 1971, 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:

Vice-President



(SEAL)

City Clerk