

REGULAR MEETING

Monday, December 20, 1971, 6:30 P.M.

The Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers in the City-County Building at 6:30 P.M. on Monday, December 20, 1971.

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. Ser-Vaas, 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 unanimously.

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

December 8, 1971

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 delivered to the City Clerk, Mrs. Marjorie H. O'Laughlin, the following city-county ordinances:

APPROPRIATION ORDINANCE NO. 48, 1971, transferring \$625,000.00 from the Department of Transportation to other designated funds of that department.

APPROPRIATION ORDINANCE NO. 55, 1971, transferring \$15,000.00 from the Department of Transportation to other funds of that department.

APPROPRIATION ORDINANCE NO. 56, 1971, transferring \$45,760.00 in the City Fund from the Clerk of the City-County Council, Metropolitan Development, Department of Administration, Division of Finance and Human Rights Commission to certain purposes of the Office of the Mayor and the Department of Metropolitan Development.

APPROPRIATION ORDINANCE NO. 57, 1971, transferring \$65,570.00 in the City Fund from the Department of Administration, Finance Division, Department of Public Works, Municipal Garage Division, Department of Public Safety, Civil Division, Weights and Measures Division, Alcohol Safety Action Project and Dog Pound Division to other purposes of those Departments and Divisions.

APPROPRIATION ORDINANCE NO. 58, 1971, transferring \$164,000.00 from the Department of Public Works, Sanitation Division to other purposes of that division.

APPROPRIATION ORDINANCE NO. 59, 1971, transferring \$94,000.00 from the Park Fund to other purposes of that department.

GENERAL ORDINANCE NO. 284, 1971, authorizing a temporary loan for the use of the Park General Fund.

GENERAL ORDINANCE NO. 243, 1971, to amend the Code,

1951, Title 4, Chapter 8, Section 812, Parking Prohibited at all Times on Certain Streets.

GENERAL ORDINANCE NO. 271, 1971, to amend the Municipal Code, 1951, Title 4, Chapter 10, Section 1001, Passenger and Material Loading Zones—Permits.

GENERAL ORDINANCE NO. 272, 1971, to amend the Municipal Code, 1951, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

December 20, 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 published twice in the Indianapolis Commercial, and the Indianapolis News, once on December 11, 1971 and again on December 17, 1971, the following ordinances:

General Ordinance No. 243, 1971

General Ordinance No. 271, 1971

General Ordinance No. 272, 1971

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

December 20, 1971

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:

SPECIAL ORDINANCE NOS. 13, and 15, 1971, extending the boundaries of the Fire Special Service District. Introduced via Public Safety Committee on December 13, 1971.

SPECIAL ORDINANCE NOS. 14, 16, and 17, 1971, extending the boundaries of the Police Special Service District. Introduced via Public Safety Committee on December 13, 1971.

WILLIAM A. LEAK
Councilman

SPECIAL RESOLUTION NO. 46, 1971, authorizing the Mayor of the City of Indianapolis, Marion County, Indiana, to execute an amendment to the grant agreement with the United States for the Indianapolis Model Cities Program and Planned Variation Extension. Introduced via Transportation Committee on December 15, 1971.

HAROLD J. EGENES
Councilman

President Hasbrook called for ordinances on second reading.

ORDINANCES ON SECOND READING

Mr. Gorham called for a second reading of City-County General Ordinance No. 273, 1971.

The Clerk read the ordinance for the second time.

Mr. Gorham moved, seconded by Mr. Cottingham, to amend General Ordinance No. 273, 1971, per the copy distributed, which reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 273, 1971

AN ORDINANCE amending Title 3 of the Code of Indianapolis and Marion County 1970, to add provisions establishing standards of conduct for city and county employees with respect to conflicts of interest.

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

Section 1. Title 3 of the Code of Indianapolis and Marion County 1970 is hereby amended by adding in Chapter 2 an additional section, as follows, to-wit:

3-204. Conflict of Interest Policy. The following statement of policy outlines the standards of conduct expected of employees of the City of Indianapolis and of Marion County with respect to "conflicts of interest."

- (a) All officers and employees shall deal with suppliers, customers, and other persons doing business with the City of Indianapolis and of Marion County in a completely fair, ethical, and objective manner, without favor or preference based upon any personal or family financial considerations.
- (b) No officer or employee shall accept for himself or any member of his family any gift, entertainment, or other favor from any person, firm or corporation which does or seeks to do any business with the City of Indianapolis or with Marion County when such gifts go beyond common courtesies usually associated with ethical and accepted business practices or when such gifts are sufficient to place him under any obligation affecting the proper discharge of his duties.
- (c) The Rules and Public Policy Committee of the City-County Council shall determine whether a conflict of interest exists

or may exist in the future. Power is reserved by the Council to take such steps as are necessary to eliminate any conflict of interest.

The motion to amend passed by unanimous voice vote.

Mr. Gorham moved, seconded by Mr. Cottingham, to further amend General Ordinance No. 273, 1971, as follows:

Indianapolis, Ind., December 20, 1971

Mr. President:

I move that City-County General Ordinance No. 273, 1971 be amended by adding:

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

JOE T. GORHAM
Councilman

The motion to further amend General Ordinance No. 273, 1971, was passed by unanimous voice vote.

Mr. Boyd moved, seconded by Mr. Gorham, to further amend General Ordinance No. 273, 1971, as follows:

CITY-COUNTY COUNCIL MOTION

December 20, 1971

Mr. President:

I move that City-County General Ordinance No. 273, 1971 be amended as follows:

by inserting in line 2 of sub-section 3-204, between the words "of" and "employees", the words "officers and".

ROZELLE BOYD
Councilman

The amendment passed by unanimous voice vote.

After discussion of the ordinance, Mr. Gorham moved, seconded by Mr. McPherson, for the passage of City-County General Ordinance No. 273, 1971, as amended, which reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 273, 1971,
AS AMENDED

AN ORDINANCE amending Title 3 of the Code of Indianapolis and Marion County 1970, to add provisions establishing standards of conduct for city and county employees with respect to conflicts of interest.

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

Section 1. Title 3 of the Code of Indianapolis and Marion County 1970, is hereby amended by adding in Chapter 2 an additional section, as follows, to-wit:

3-204. Conflict of Interest Policy. The following statement of policy outlines the standards of conduct expected of officers and employees of the City of Indianapolis and of Marion County with respect to "conflicts of interest."

- (a) All officers and employees shall deal with suppliers, customers, and other persons doing business with the City of Indianapolis and of Marion County in a completely fair, ethical, and objective manner, without favor or preference based upon any personal or family financial considerations.

- (b) No officer or employee shall accept for himself or any member of his family any gift, entertainment, or other favor from any person, firm or corporation which does or seeks to do any business with the City of Indianapolis or with Marion County when such gifts go beyond common courtesies usually associated with ethical and accepted business practices or when such gifts are sufficient to place him under any obligation affecting the proper discharge of his duties.
- (c) The Rules and Public Policy Committee of the City-County Council shall determine whether a conflict of interest exists or may exist in the future. Power is reserved by the Council to take such steps as are necessary to eliminate any conflict of interest.

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

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

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

Noes 1, viz: Mr. Neal.

Mr. Egenes requested that ordinances assigned to the Metropolitan Development Committee be considered ahead of the regular order to accommodate the people in the audience interested in the zoning ordinances.

The Chair gave consent.

Mr. Egenes called for a second reading of City-County General Ordinance No. 289, 1971.

The Clerk read the ordinance for the second time.

After discussion, Mr. Egenes moved, seconded by Mr. Byrum for the passage of City-County General Ordinance No. 289, 1971.

The ordinance failed on the following roll call vote:

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

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

Mr. Egenes moved, seconded by Mr. Byrum, for reconsideration of City-County General Ordinance No. 212, 1971, stating that the Plan Commission returned the ordinance to the Council in its original form.

The motion passed by unanimous voice vote.

The Clerk read the ordinance for the third time.

Mr. Leak moved, seconded by Mr. Gorham, to amend General Ordinance No. 212, 1971.

The amendment failed for want of a majority on the following roll call vote.

Ayes 7, viz: Mr. Boyd, Mr. Broderick, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. Neal, and Rev. Williams.

Noes 7, viz: Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

Mr. Egenes moved, seconded by Mr. Byrum, to amend General Ordinance No. 212, 1971 as follows:

Indianapolis, Indiana, December 20, 1971

Mr. President:

I move that City-County General Ordinance No. 212, 1971 be amended by inserting the following:

preceeding page 1 of proposed Ordinance 212, the words and punctuation

**METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 71-AO-4**

AN ORDINANCE to amend Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County, Indiana, and fixing a time when the same shall take effect.

**SIGN REGULATIONS
OF MARION COUNTY, INDIANA
ZONING ORDINANCE 71-AO-4**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA, that Marion County Council Ordinance No. 8-1957 adopted by the Marion County Council on March 28, 1957, and subsequently amended, pursuant to Chapter 283 of the Indiana Acts of 1955 and Chapter 173 of the Indiana Acts of 1969, and all zoning ordinances adopted as amendments thereto, as amended, be amended by the addition of the following provisions and the repeal of all portions thereof in conflict herewith:

also, immediately following the last page of proposed Ordinance 212, the words and punctuation

BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

CITY-COUNTY COUNCIL OF INDIANAPOLIS
AND OF MARION COUNTY, INDIANA

Attest: -----

Dated -----

President (or Presiding Officer)

HAROLD J. EGENES
Councilman

The motion to amend passed on the following roll call vote:

Ayes 10, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

Noes 4, viz: Mr. Gorham, Mr. Leak, Mr. Neal, and Rev. Williams.

Mr. Egenes moved, seconded by Mr. McPherson, for the passage of General Ordinance No. 212, 1971, as amended.

The ordinance, as amended, failed for want of a majority on the following roll call vote:

Ayes 7, viz: Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

Noes 7, viz: Mr. Boyd, Mr. Broderick, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. Neal, and Rev. Williams.

Mr. Egenes called for second reading of City-County General Ordinance No. 155, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. McPherson, to strike City-County General Ordinance No. 155, 1971, with the recommendation that the ordinance be retained and reintroduced for the new council committee on community affairs.

The ordinance was stricken on the following roll call vote:

Ayes 13, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. Neal, Mr. SerVaas, Rev. Williams and President Hasbrook.

Noes 1, viz: Mr. McPherson.

Mr. Egenes called for second reading of General Ordinance Nos. 187, 290, and 291, 1971.

The Clerk read the ordinances for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, for passage of General Ordinance Nos. 287, 290, and 291, 1971.

The ordinances 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. Egenes called for second reading of City-County General Ordinance No. 288, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Gorham, to amend the ordinance to include the covenants submitted, which reads as follows:

Nichols & Wood, Inc.

3710 Washington Blvd., Indianapolis, Indiana 46205, (317) 926-4411

December 20, 1971

City County Council
City County Building
Indianapolis, Indiana 46204

Ref: Zoning case, 42nd & Mitthoefer

Gentlemen:

Please be advised that an agreement has been reached in reference to fencing material at the above captioned property between the Petitioner and the Remonstrators as follows:

The Petitioner will construct fencing materials as follows:

1. along the South property line: decorative block wall 6' high and 6" thick
2. along the West property line: chain link fence, as per original agreement with Remonstrators in previous hearings

3. along the East property line: decorative block wall, 6' high and 6" thick to a point 70' North of the South Property line; from that point chain link fence North as per agreement in previous hearings.

Thank you for your consideration in this matter.

Sincerely yours,

PHILLIP E. NICHOLS,
representing the Petitioner

RE: 42nd & Mitthoeffer

In addition, the Petitioner agrees to the following:

- 1) A 6-foot high shadowbox fence to be installed from a point 70 feet North of the South property line—beginning at the West property line, then 30 feet East.
- 3) To plant evergreen-type trees (5) in a broken pattern North of the South property line—said trees to be at least 5 feet tall at time of planting.

Sincerely,

PHILLIP E. NICHOLS
Representing the Petitioners:
Mr. & Mrs. Edwin Denney

The amendment passed by unanimous voice vote.

Mr. Egenes moved, seconded by Mr. McPherson, for the passage of City-County General Ordinance No. 288, 1971, as amended.

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

Ayes 9, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Forestal, Mr. Gorham, Mr. Neal, and Rev. Williams.

Noes 5, viz: Mr. Egenes, Mr. Leak, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

Mr. Egenes called for second reading of City-County General Ordinance No. 292, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Leak, to amend General Ordinance No. 292, 1971.

CITY-COUNTY COUNCIL MOTION

December 20, 1971

Mr. President:

I move that City-County General Ordinance No. 292, 1971, be amended by adding a covenant to read:

“Site plans to be approved by the Director of the division of Planning and Zoning.”

HAROLD J. EGENES
Councilman

The motion to amend passed by unanimous voice vote.

After discussion, Mr. Egenes moved, seconded by Mr. Leak, for the passage of City-County General Ordinance No. 292, 1971, as amended.

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

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, r. SerVaas, and Rev. Williams.

Noes 3, viz: Mr. Byrum, Mr. Forestal and President Hasbrook.

Mr. Egenes called for a second reading of City-County General Ordinance No. 266, 1971.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Egenes, to recess to the Committee of the Whole.

The motion failed by voice vote.

Mr. McPherson moved, seconded by Mr. Leak, to table General Ordinance No. 266, 1971.

The motion to table failed on the following roll call vote:

Ayes 6, viz: Mr. Boyd, Mr. Brown, Mr. Cottingham, Mr. Leak, Mr. McPherson, and President Hasbrook.

Noes 8, viz: Mr. Broderick, Mr. Byrum, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Neal, Mr. SerVaas, and Rev. Williams.

Mr. Leak moved, seconded by Mr. Neal, for the passage of City-County General Ordinance No. 266, 1971.

The ordinance passed on the following roll call vote:

Ayes 8, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. Neal, and Rev. Williams.

Noes 6, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

Mr. Egenes called for a second reading of City-County General Ordinance No. 265, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Cottingham, to amend General Ordinance No. 265, 1971, by the addition of the following: "Site plans to be approved by the Director of Planning and Zoning."

The motion to amend passed by unanimous voice vote.

Mr. Egenes moved, seconded by Mr. Cottingham, for the passage of the City-County General Ordinance No. 265, 1971, as amended.

The ordinance, as amended, 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. Egenes called for a second reading of City-County Special Resolution No. 45, 1971.

The Clerk read the resolution for the second time.

Mr. Egenes moved, seconded by Mr. Neal, for the adoption of the City-County Special Resolution No. 45, 1971.

The resolution was adopted by unanimous voice vote.

Mr. Egenes called for a second reading of City-County General Ordinance No. 282, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Leak, for the passage of City-County General Ordinance No. 282, 1971.

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. Egenes called for a second reading of City-County General Ordinance Nos. 278 through 281, 1971.

The Clerk read the ordinances for the second time.

Mr. Egenes moved, seconded by Mr. Byrum, for the passage of General Ordinance Nos. 278 through 281, 1971.

The ordinances 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. Egenes called for a second reading of City-County General Ordinance No. 277, 1971.

The Clerk read the ordinance for the second time.

After discussion, Mr. Egenes moved, seconded by Mr. Byrum, for the passage of City-County General Ordinance No. 277, 1971.

The ordinance passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 2, viz: Mr. McPherson and Mr. Neal.

Mr. Egenes called for a second reading of City-County General Ordinance No. 286, 1971.

The Clerk read the ordinance for the second time.

Mr. McPherson moved, seconded by Mr. Gorham, to table City-County General Ordinance No. 286, 1971.

The motion to table passed by unanimous voice vote.

Mr. Egenes called for a second reading of City-County Special Resolution No. 46, 1971, which was introduced and read for the first time at the Transportation Committee meeting on December 15, 1971, and read as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 1971

A RESOLUTION authorizing the Mayor of the Consolidated City of Indianapolis, Marion County, Indiana, to execute an amendment to the grant agreement with the United States of America for the Indianapolis Model Cities Program and Planned Variation Extension thereof (Community Services Program).

WHEREAS, the City of Indianapolis has executed a Grant Agreement with the United States dated August 24, 1970 under which the United States agreed to assist the city in carrying out its comprehensive city demonstration program (Program) and certain projects and activities listed in the Grant Budget of the Grant Agreement.

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

Section 1. The Mayor is hereby authorized to execute amendments to the Program to include the material attached hereto and made a part hereof.

Section 2. The addition or substantial change in the undertakings listed below are hereby approved and set forth in greater detail in the material attached hereto and made a part hereof:

CSP Additional Grants in Highland-Brookside
Environment Improvement Project Grants (\$842,773)

1. Housing Rehabilitation Grants; Urban Renewal Division of D.M.D.	\$200,000
2. Housing Rehab Loans and New Housing; Greater Indianapolis Housing Development Corporation	\$330,571
3. Woodruff Place Lighting and Safety; Department of Transportation	\$ 37,500
4. Off-Street Parking; Department of Transportation	\$ 25,000
5. Sidewalk, Curb and Drainage Repair Loans; Dept. of Transportation	\$ 50,000
6. Pogue's Run Clean-up; Department of Parks and Recreation	\$ 20,000
7. Neighborhood Spruce-up; Dept of Parks and Recreation with local Block Clubs	\$ 25,000
8. Vacant Structure Demolition; Code Enforcement Division of D.M.D.	\$ 75,000
9. Public Transportation Demonstration; Planning and Zoning Division	\$ 10,000
10. Housing Information and Counseling; Community Interfaith Housing	\$ 69,702

Child Care Project Grants (\$275,000)

1. Service Expansion; Marion County Coordinated Child Care, Inc.	\$175,000
2. Center Operations Support; State Department of Public Welfare	\$100,000

Education Project Grants (\$244,188)

1. English Language Lab for Hispano-American Multi-Service Center; Catholic Social Services, Inc.	\$ 9,500
2. Storefront Learning Center; Indianapolis Public Schools with Community Organization Program—Eastside	\$ 30,020

3. Adult Learning Center Expansion; Community Organizations Program—Eastside	\$ 9,668
4. Dropout Prevention Demonstration; Indianapolis Public	\$ 45,000
5. Special Impact Television Programming; Educational Television Station W.F.Y.I.	\$ 25,000
6. Services for the Developmentally Disabled; Marion County Association for Retarded Children	\$125,000

Employment Projects Grants (\$160,000)

1. Manpower Center Expansion; Metropolitan Manpower Commission	\$160,000
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Health Project Grants (\$505,000)

1. Medical Services; Undetermined	\$295,000
2. Dental Clinic Services; Undetermined	\$ 80,000
3. Optometry Services; Undetermined	\$ 30,000
4. Ancillary Services including Drug Abuse Treatment and Alcoholism Services; Undetermined	\$100,000

Crime Prevention Grants (\$50,000)

1. Crime Prevention — Property Protection; Indianapolis Police Department	\$ 50,000
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Recreation and Youth Project Grants (\$493,279)

1. Comprehensive Recreation Program Expansion; Department of Parks and Recreation	\$273,128
2. Neighborhood Schools; Y.M.C.A.	\$106,000
3. Mini-Bikes; COP-E	\$ 13,151
4. Youth Outreach; Area Youth Ministry	\$ 51,000

- 5. Extended Scouting Activities: Central Indiana Boy Scouts Council \$ 50,000

Social Service Project Grants (\$429,760)

- 1. Senior Citizens Program; CAAP \$150,000
- 2. Multi-Service Center including Legal Services and Police Relations components; CAAP \$220,760
- 3. Social Service Support; Family Service Association or equivalent \$ 35,000

CSP Fast-Start Changes & Additions

- 1. Extend budget period for "Citizen Participation", "Evaluation and Information", "Other Program Administration", and "Health Clinics", to February 28, 1972.
- 2. #21141 Drug Treatment—Extend to December 31, 1972
- 3. #2234 Child Development Services—Reduce Amount to \$130,000 Transfer Highland-Brookside phase.
- 4. Add #23234 Youth Outreach, \$70,000, for the period January 1, 1972—June 30, 1972
- 5. #2235, Child Development Coordination—transfer Highland-Brookside phase.
- 6. #2324, Operation Late Start—transfer Highland-Brookside phase.
- 7. #2311, Multi-Service Center—transfer Highland-Brookside phase.

Section 3. This resolution shall be in full force and effect from and after adoption and approval by the Mayor.

The Clerk read the resolution for the second time.

Mr. Gorham moved, seconded by Mr. Broderick, to table Special Resolution No. 46, 1971.

The motion to table failed on the following roll call vote:

Ayes 4, viz: Mr. Brown, Mr. Forestal, Mr. Gorham, and Mr. Leak.

Noes 10, viz: Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Neal moved, seconded by Mr. Gorham, to amend Special Resolution No. 46, 1971, as follows:

Indianapolis, Ind., December 20, 1971

Mr. President:

I move that City-County Special Resolution No. 46, 1971, be amended by striking out the words "Legal Services and" appearing in line 17 page 3, and the amount

and inserting in lieu thereof the following amount on line 17, page 3, "\$220,760.00".

LESTER NEAL
Councilman

The motion to amend passed on the following roll call vote:

Ayes 7, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. SerVaas, and Predident Hasbrook.

Noes 6, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. McPherson, Mr. Neal, and Rev. Williams.

1 absention: Mr. Forestal.

Mr. Boyd moved, seconded by Mr. Cottingham, for the passage of Special Resolution No. 46, 1971, as amended.

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

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 3. viz: Mr. Forestal, Mr. Gorham, and Mr. Neal.

Mr. Egenes called for second reading of City-County General Ordinance No. 283, 1971.

The Clerk read the ordinance for the second time.

Mr. Egenes moved, seconded by Mr. Cottingham, to strike City-County General Ordinance No. 283, 1971.

The ordinance was stricken by unanimous voice vote.

Mr. Leak called for a second reading of City-County Special Ordinance Nos. 12, 13, and 15, 1971.

The Clerk read the ordinances for the second time.

Mr. Leak moved, seconded by Mr. Gorham, for the passage of City-County Special Ordinance Nos. 12, 13, and 15, 1971, subject to covenants submitted by petitioners.

The ordinances passed on the following roll call vote:

Ayes 10, viz: Mr. Boyd, Mr. Broderick, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Rev. Williams and President Hasbrook.

Noes 3, viz: Mr. Byrum, Mr. Neal, and Mr. SerVaas.

Mr. Brown was out of the Council Chambers when the vote was taken.

Mr. Leak called for second reading of City-County Special Ordinance Nos. 14, 16, and 17, 1971.

The Clerk read the ordinances for the second time.

Mr. Leak moved, seconded by Rev. Williams, for the passage of Special Ordinance Nos. 14, 16, and 17, 1971.

The ordinances passed on the following roll call vote:

Ayes 9, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Leak, Rev. Williams, and President Hasbrook.

Noes 5, viz: Mr. Byrum, Mr. Gorham, Mr. McPherson, Mr. Neal, and Mr. SerVaas.

Mr. McPherson called for a second reading of City-County General Ordinance No. 294, 1971.

The Clerk read the ordinance for the second time.

Mr. McPherson moved, seconded by Mr. Leak, for the passage of City-County General Ordinance No. 294, 1971.

The ordinance passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Brown, M. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Noes 1, viz: Mr. Broderick.

Rev. Williams was out of the chambers when the vote was taken.

Mr. McPherson called for a second reading of City-County Special Resolution No. 31, 1971.

The Clerk read the resolution for the second time.

Mr. McPherson moved, seconded by Mr. Leak, for the passage of City-County Special Resolution No. 31, 1971.

The resolution 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. 275, 1971.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Boyd, for the passage of City-County General Ordinance No. 275, 1971.

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 moved, seconded by Mr. Egenes, to strike City-County General Ordinance No. 276, 1971.

The motion passed by unanimous voice vote.

The chair called a recess at 10:00 P.M., reconvening at 10:10 P.M.

Mr. Cottingham called for a second reading of City-County Appropriation Ordinance No. 62, 1971.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Neal, for the passage of City-County Appropriation Ordinance No. 62, 1971.

The ordinance passed on the following roll call vote:

Ayes 12, viz: Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. Mc-

Pherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

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

Mr. Cottingham called for second reading of City-County Appropriation Ordinance No. 63, 1971.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Neal, for the passage of City-County Appropriation Ordinance No. 63, 1971.

The ordinance passed on the following roll call vote:

Ayes 12, viz: 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.

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

Mr. Cottingham called for second reading of City-County Appropriation Ordinance No. 64, 1971.

The Clerk read the ordinance for the second time.

Mr. Cottingham, seconded by Mr. Neal, moved for the passage of City-County Appropriation Ordinance No. 64, 1971.

The ordinance passed on the following roll call vote:

Ayes 13, viz: Mr. Boyd, 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.

Noes 1, viz: Mr. Broderick.

President Hasbrook suggested a resolution be drawn up in 1972, stating that the County Commissioners refrain from entering into any contract or allot any parking space in the City-County Building, without the concurrence of the Council.

Mr. Cottingham called for second reading of City-County Appropriation Ordinance No. 65, 1971.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Neal, for the passage of Appropriation Ordinance No. 65, 1971.

The ordinance passed on the following roll call vote:

Ayes 11, viz: Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 3, viz: Mr. Boyd, Mr. Broderick, and Mr. Forestal.

Mr. Cottingham called for second reading of City-County Special Resolution No. 44, 1971.

The Clerk read the resolution for the second time.

Mr. Cottingham, moved, seconded by Mr. Boyd, for the passage of City-County Special Resolution No. 44, 1971.

The resolution 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.

Rev. Williams was excused from the meeting.

President Hasbrook called for a second reading of City-County General Ordinance No. 293, 1971.

The Clerk read the ordinance for the second time.

Mr. SerVaas moved, seconded by Mr. McPherson, to amend General Ordinance No. 293, 1971, per the copy distributed, which reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 293, 1971,
AS AMENDED

AN ORDINANCE to establish and adopt rules for the conduct of the business of the City-County Council, and repealing certain sections of the Code of Indianapolis and Marion County, 1970.

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

Section 1. Section 2-102 of Title 2, Chapter 1 of the Code of Indianapolis and Marion County 1970 is amended to read as follows:

2-102. The rules of the City-County Council are as follows:
(The Clerk shall insert at this section of the Code the "Rules of the City-County Council" as they are from time to time in effect.)

Section 2. The following rules for the conduct of the business of the City-County Council are hereby adopted:

RULES OF THE CITY-COUNTY COUNCIL
RULE 1—OFFICERS AND EMPLOYEES

Section 1. Council Officers. At the first regular meeting in each calendar year, the Council shall elect by roll call from its membership, the following officers of the Council:

President
Vice-President

The officers so elected shall hold such office until the first regular meeting of the next calendar year.

Section 2. The Clerk. The Clerk shall be elected by roll call at the first regular meeting of each calendar year for a term of one year. Nominations for Clerk shall be on written petition of two councilmen filed with the Clerk at least 48 hours before the meeting at which the election will be held.

Section 3. Staff Officers. The Council shall consider for approval the recommendations of the Committee on Rules and Public Policy for the following staff officers:

Assistant Clerk
General Counsel
Research Director

Section 4. Majority and Minority Leaders. The councilmen belonging to each political party shall hold separate caucuses and each shall elect a caucus leader. The caucus leader of the party which has the allegiance of the greatest number of councilmen shall be called the "majority leader." The caucus leaders of the other parties shall be called "minority leaders." When used elsewhere in these rules, "minority leader" shall mean the minority

leader whose election was certified by the most councilmen. The election of caucus leaders shall be official upon filing with the Clerk a certificate of election signed by the members of the Caucus.

Section 5. Voting on and Removal of Officers.

- (a) A majority vote of all members of the Council shall be required for the election of all officers of the Council, except the majority and minority leaders. All officers shall hold their office until a successor is chosen or they are removed.
- (b) Any officer of the Council, including the Clerk and staff officers, may be removed upon a majority vote of all the members of the Council provided no vote shall be had upon removal until the motion to do so has been made a special order of business by vote at a meeting at least one week prior thereto. The vacancy thus created shall be filled by election in the manner of election of the officer removed.

Section 6. Presiding Officer. The President shall be the presiding officer of the Council. In the absence of the President, the Vice-President shall preside. In the absence of both the President and Vice-President, the majority leader and then the chairmen of the standing committees in the order listed in Section 5 of Rule 3 shall be entitled to preside in that order, unless another councilman shall be designated by the President before surrendering the gavel.

Section 7. Powers of the Presiding Officer. The presiding officer shall have all the powers of the President with respect to the conduct of the business before the meeting while presiding, but only the President shall have the authority to sign ordinances or resolutions adopted by the Council or to exercise other powers conferred on the President by statute or ordinance.

Section 8. Convening the Council, Quorum. The President shall take the chair at the hour designated for convening the Council for any regular, special or statutory meeting. He shall call the Council to order and instruct the Clerk to call the roll. If the roll call establishes that a quorum is present, he shall proceed in the

manner and order prescribed by these rules. A majority of the members elected, qualified and serving as members of the Council shall constitute a quorum.

Section 9. Absence of a quorum. If the roll call does not establish that a quorum is present, the President shall recess the Council for three successive fifteen minute periods, having a roll call at the end of each such recess until a quorum is present. If a quorum is not present at the end of the third such recess, the Council shall not meet until the next regular or special meeting duly convened.

Section 10. Order and Decorum. The President shall preserve order and decorum, and in the case of disturbance or disorderly conduct in the chamber or in the adjacent lobbies, may cause the same to be cleared. The President may require the County Sheriff, his deputy or an assistant officer of the City Police Force to be present to assist in preserving order.

Section 11. Duties of the Clerk. In addition to any other duties imposed by state law or ordinances of the Consolidated City and County, the Clerk shall perform the following duties with respect to the proceedings of the Council:

- (a) The Clerk shall act as secretary of the Council and keep and preserve an accurate journal of all proceedings of the Council.
- (b) The Clerk shall cause all notices of regular and special meetings of the Council and its committees to be served in accordance with state statutes, City-County Ordinances, these rules and the directions of the President. The Clerk shall cause the publication of all notices of public hearings as required by law or these rules. The Clerk shall also deliver all subpoenas issued by authority of the Council.
- (c) The Clerk shall be the legal custodian of all records of the Council and of all ordinances and resolutions of the Consolidated City and County.
- (d) The Clerk shall maintain complete and orderly files containing all papers and documents of every kind and

character pertaining to the business of the Council and hold them available for the use and reference of the Council and its members.

- (e) The Clerk shall call the roll when directed by the presiding officer in alphabetical order except that the President shall be called last.

Section 12. Journal. The Journal of the City-County Council shall contain a complete and accurate record of the official proceedings of the Council and shall be prepared and kept in the following manner:

- (a) The Clerk shall enter in the journal at least the following information: The complete text of all correspondence from the Mayor; the number and title of all proposed ordinances and resolutions when introduced; a brief statement of the contents of any petition or other paper presented for consideration; the complete text of each ordinance, resolution or other proposal when before the Council for adoption and each amendment proposed thereto; every vote, including the yeas and nays; and such other matters as are necessary to keep an accurate record of the proceedings of the Council.
- (b) At each meeting of the Council, if at least seven days after the prior meeting, the Clerk shall distribute to the members of the Council the Journal of the proceedings of the preceding meeting. The President shall call for corrections of the Journal in the regular order of business. Unless that order of business is postponed or a motion carried to read the Journal, the corrections, if any, shall be noted and the Journal shall stand approved without motion.
- (c) After the Journal is approved, the Clerk shall have 200 copies of the Journal of each meeting printed. One copy shall be delivered to each councilman as soon as possible. At least one hundred copies shall be preserved to be bound with a proper index after the end of each year as the permanent official Journal of the City-County Council. One bound copy shall be delivered to each councilman who served during that year.

Section 13. Calendar and Agenda. The Clerk shall maintain a calendar of pending matters and an agenda for each meeting:

- (a) A current calendar shall be available to councilmen within three days after each meeting indicating the status of each matter pending before the Council.
- (b) The Clerk shall prepare an agenda prior to each meeting showing all matters eligible for consideration under each order of business.

Section 14. Assistant Clerk, Duties. The Assistant Clerk shall, in the absence of the Clerk, be authorized to perform all of the duties prescribed by these rules for the Clerk including signing any documents which may require the signature of the Clerk.

Section 15. General Counsel. The General Counsel shall be appointed by the President upon recommendation by the Committee on Rules and Public Policy with concurrence of the Corporation Counsel, subject to approval by the Council. The General Counsel shall be responsible to the Corporation Counsel for the performance of those duties which by statute the Legal Division is to perform for the Council.

Section 16. General Counsel as parliamentarian. The General Counsel shall attend all Council meetings and advise the President as parliamentarian. With permission of the presiding officer, the General Counsel may address the Council with respect to any point of order or law arising during a meeting of the Council.

Section 17. General Counsel, Duties. The General Counsel shall be responsible to see that all ordinances and resolutions requested by councilmen are drafted, shall review and approve all proposed ordinances and resolutions as to form and legality, advise the Clerk as to all matters regarding publication and codification of ordinances, and give legal advice as requested by the Council, its committees and its members.

Section 18. Research Director. The Research Director shall be hired by the Clerk upon the recommendation of the Committee on Rules and Public Policy, subject to approval by the Council. The Research Director shall be responsible to the President and General

Counsel for conducting all research relating to Council business as requested by the President, General Counsel or any member of the Council.

RULE 2—MEETINGS AND RULES OF PROCEDURE

Section 1. Regular Meetings. Regular meetings of the Council shall be held on the first and third Monday of each month at half past six o'clock (6:30) P.M. prevailing local time in the Council Chamber. In the event that the date of a regular meeting is on a Holiday, observed by state law or local ordinance for employees of the Consolidated City, the regular meeting shall be held on the next succeeding day that is not such a holiday or a Saturday or Sunday, unless the Council by a majority vote at the last preceding regular meeting shall cancel the meeting or postpone it to another date. The time, or place, of any regular meeting may be changed by majority vote at the last preceding regular meeting.

Section 2. Special Meetings. Special meetings may be held on call of the President or forty percent (40%) of the members of the Council, by giving written notice of the time and place of the meeting delivered to each member personally or sent by mail or telegram so that each member has at least seventy-two hours (72) notice of the meeting.

Section 3. Statutory Meetings. Statutory meetings shall be held as required by law upon such notice as is provided by the law requiring such meeting; and if such law requires publication of notice, no further notice need be given to members of the Council. As a courtesy to members, the Clerk shall endeavor to give members the same notice as these rules prescribe for special meetings.

Section 4. Parliamentary Authority. All meetings of the Council and its Committees shall be conducted in accordance with the procedures set forth in "Roberts Rules of Order, Newly Revised," except where a different procedure is required by state law, the ordinances of the Council, or these rules. A majority of the members of the Council shall decide all matters of procedure not covered by those authorities stated.

Section 5. Suspension of the Rules. These rules may be suspended by a two-thirds vote of the elected and qualified members

of the Council. If a rule is suspended, a majority of the members present shall decide the procedure to follow in lieu of the suspended rule. The power to suspend these rules shall not apply to rules which are required by statutory or constitutional law.

Section 6. Amendment of Rules. These rules may be amended only by adopting an amending ordinance in accordance with these rules, except the approval of the Mayor shall not be required with respect to an ordinance amending these rules.

Section 7. Admittance to the Floor. The floor of the chamber shall consist of that portion of the chamber from beyond the last seats of councilmen to the front of the room. No person shall be permitted on the floor of the chamber while the Council is in order other than councilmen, the staff of the Council, and accredited reporters of the news media. The Mayor and other city or county officials may be admitted upon permission from the presiding officer or by majority vote of the Council. Anyone who is entitled under these rules to address the Council shall be admitted to the floor during the time he is permitted to speak.

Section 8. Address by others than members. No person other than a member or officer of the Council shall be permitted to address the Council during its meetings except as provided in this rule:

- (a) The President may recognize any distinguished guest under "Introduction and Recognition of Guests and Visitors" and permit a two minute response to the introduction.
- (b) The President may permit any city or county officer or employee to address the Council in response to a question or request for information by a councilman; such person shall be limited in his reply to two minutes.
- (c) Any councilman desiring that someone be heard that is denied the floor by these rules or the President, may move to recess to a Committee of the Whole Council to hear such person. The motion shall state the person or persons to be heard, the subject or subjects to which the discussion will be limited, and the time to be grant-

ed such speaker or speakers. Such motion shall require a second. It shall be privileged and immediately put to vote without debate. The motion shall be carried only if receiving a vote of a majority of the members of the Council. If carried, the meeting shall recess and reconvene as the Committee of the Whole Council in accordance with the motion.

- (d) If the item of business before the Council is one for which a notice of public hearing has been given, the President shall inquire before stating the question whether members of the public desire to be heard on that item. If any person indicates a desire to be heard, the President shall recess the Council to a Committee of the Whole Council for such public hearing. The Committee of the Whole Council may, by majority vote, impose reasonable limits upon the time and number of persons to be allowed to speak.

Section 9. Absence of Councilmen. After a meeting shall have been called to order, no member shall absent himself from the Council chamber without first having been excused by the presiding officer. If the presiding officer refuses to grant such excuse, the member seeking to be excused shall have the right to appeal to a vote of the Council upon his request to be excused, and the affirmative vote of a majority of the members present shall be sufficient to excuse him from further attendance at that meeting of the Council. The question upon excusing a member, notwithstanding the refusal of the presiding officer to do so, shall be a question of privilege, and shall be immediately put to vote by the presiding officer, taking precedence of all other questions and motions that may be before the Council at that time. When any member shall be excused in accordance with the provisions of this rule, the Clerk shall note in the Journal that such leave was granted, showing whether leave was granted by the presiding officer or by vote of the Council.

Section 10. Transgression of Rules: Call Member to Order. If any member, in speaking or otherwise, transgresses the rules of the Council, the presiding officer shall, or any member may, call him to order. In which case he shall immediately surrender the floor, unless permitted on motion of another member to explain, and the Council shall, if appealed to, decide the case without de-

bate. If the decision be in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to such censure or such punishment as the Council may deem proper or the law may provide.

Section 11. Words excepted to. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Council; but he shall not be held to answer, nor be subject to the censure of the Council therefor, if further debate or other business shall have intervened.

Section 12. Time Limit on Speaking. No member shall speak more than twice, nor for more than five minutes on each occasion, upon any one question in debate during the same session or meeting, without leave of the Council, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

RULE 3—COMMITTEES

Section 1. Permanent Committees. The permanent committees of the Council shall be as follows:

Committee on Committees
Committee on Rules and Public Policy
Committee of the Whole Council

Section 2. Committee on Committees. The Committee on Committees shall consist of three members: The President of the Council, the majority leader and the minority leader. The President shall act as chairman of the committee. The Committee on Committees shall name the members of the standing committees and such members of the permanent committees not specified in these rules. The membership of all standing committees shall be named on or before February 1st of each year. Any vacancy on any committee shall be filled within thirty days after it occurs.

Section 3. Committee on Rules and Public Policy. The Committee on Rules and Public Policy shall consist of seven members,

including the President, majority leader and minority leader. The committee shall consider and recommend proposed changes in the rules of the Council and may function in the manner of a standing committee upon any matter referred to it by the President or motion of the Council. This committee shall also be responsible for recommendations upon the employment of the staff of the Council and supervising its performance.

Section 4. Committee of the Whole Council. The Committee of the Whole Council shall consist of every duly elected or appointed and acting member of the Council. The Council shall, by declaration of the President or by motion duly carried, form itself as a Committee of the Whole Council whenever by statute or under these rules the public is entitled to a hearing before the Council upon any manner of business properly before the Council. This committee may also function in the manner of a standing committee upon any matter referred to it by the President or upon motion of the Council. The President shall be the chairman of the Committee of the Whole Council, but may designate another member to preside or act as chairman at such times and for such periods as he may designate.

Section 5. Standing Committees. The Standing Committees of the Council shall be as follows:

- Administration Committee
- Community Affairs Committee
- County and Townships Committee
- Economic Development Committee
- Metropolitan Development Committee
- Municipal Corporations Committee
- Parks and Receptions Committee
- Public Safety Committee
- Public Works Committee
- Transportation Committee

Section 6. Size and Chairmen of Standing Committees. The standing committees shall consist of the number of members determined by the Committee on Committees, but shall not be less than three members, and have at least one minority member. The President shall name the chairman of each standing committee from among the members named by the Committee on Committees.

Section 7. President as ex-officio member. The President shall be an ex-officio member of each standing committee and may participate in its deliberations. The President shall not vote unless his vote would break a tie, and he chooses to do so.

Section 8. Duties of Standing Committees. It shall be the duty of all standing committees to consider all proposals referred to it as provided in these rules. A standing committee may consider any other matter properly concerning departments or subject matter indicated by the name of the committee. The meetings of standing committees shall be open to the public. The standing committees may hear such testimony or public comment as the committee deems proper. In lieu of separate hearings, standing committees may meet with the Boards of corresponding departments.

Section 9. Attendance by Councilmen not Members. Any councilmen shall be entitled to attend and participate in the discussions before any standing committee; and the councilman introducing any proposal referred to a standing committee shall be a member of that committee while it is considering that proposal, but he shall not be entitled to vote.

Section 10. Action on Proposals. A standing committee shall report to the Council upon all proposals referred to it within forty-five days of its referral, either with or without recommendation, unless the President or Council shall withdraw the proposal and reassign it.

Section 11. Meetings of Standing Committees. Standing committees shall establish at least one regular meeting time and date each month. Other meetings of standing committees shall be held at the call of the committee chairman upon not less than twenty-four hours actual notice to each member of the committee. All Proposals referred to the committee shall be a proper item of business at each regular meeting, unless the Proposal has been reported back to the Council.

Section 12. Special Committees. Special committees may be formed by the President or vote of the majority of the members of the Council for any specific purpose proper for Council consideration. Special committees shall consist of an odd number of members and have at least one minority member.

Section 13. Investigating Committees. Investigating Committees may be formed by resolution of the Council for any lawful purpose. The resolution establishing such committee shall specify the membership of such committee, the general nature of its investigation, and the powers to subpoena witnesses, if such power be granted.

**RULE 4—PETITIONS, MEMORIALS,
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

Section 1. Petitions. Any petition directed to the Council, whether specifically authorized by law or not, shall be filed with the Clerk and called to the attention of the Council by the Clerk under the proper order of business. If the petition is one specifically authorized by law, the President shall refer it to a proper committee. As to all other petitions, any motion for referral or other appropriate action shall be in order, unless the motion requires action which is proper only by general resolution or ordinance. In calling the petition to the attention of the Council, the Clerk need not read the petition in full but shall report fairly describing its contents.

Section 2. Memorials and Special Resolutions. Any Proposal which contemplates a resolution or other action by the Council in the nature of a memorial, commendation or other admonishment or proclamation, shall be designated "A PROPOSAL FOR A SPECIAL RESOLUTION." Such proposal shall be properly before the Council for final action unless the President refers or the Council refers or tables the proposal.

Section 3.—Council Resolutions. Any proposal which contemplates action relating only to the internal procedures of the Council, its finances, or its staff, or relates to appointments or confirmation of appointments made exclusively by the Council, shall be designated: "A PROPOSAL FOR A COUNCIL RESOLUTION." Such Proposal shall be properly before the Council for final action at the same meeting at which it is introduced, unless the President refers or the Council refers or postpones it.

RULE 5—ORDINANCES AND GENERAL RESOLUTIONS

Section 1. Action by Ordinance or General Resolution. All

actions of the Council, except as provided in Rule 4, shall be taken by ordinance or general resolution. Ordinances or general resolutions shall be designated in one of the following classes:

General Ordinances
Fiscal Ordinances
Special Ordinances
General Resolutions

Any Proposal for action by the Council by ordinance or general resolution shall be in writing, and entitled in the following form: "A PROPOSAL FOR A -----" inserting the class of ordinance or general resolution, and the subject matter of the proposal.

Section 2. Initiation of Proposal. A Proposal for an ordinance or general resolution is initiated when 50 copies of the written Proposal are submitted to the Clerk in proper form bearing the written approval of the General Counsel on at least 5 copies. A Proposal may be initiated by any councilman or other person authorized by law, but the person initiating such Proposal shall sign the original Proposal or such other form as required by the Clerk to record the source of the Proposal. When all steps required by this Rule are completed the Clerk shall assign the Proposal a number. If such steps are completed one full business day prior to a meeting of the Council, the Proposal shall be entered on the agenda of that meeting for introduction.

Section 3. Drafting of Proposals and Approval as to Form. The General Counsel, upon request of any councilman, department director, the county auditor, the city controller, or other person authorized by law to initiate an ordinance or resolution, shall review any suggested ordinance or resolution and cause the same to be placed in proper form for initiation and shall draft appropriate Proposals for any councilman or city or county official. Such requests shall be made sufficiently in advance as to give adequate time for compliance with the request. The General Counsel shall, within five working days after receiving the request, advise when the requested action will be completed. In general, the General Counsel shall have five working days in which to draft fiscal ordinances or code amendments. If the General Counsel has previously reviewed the proposal, he shall have at least three working days in which to place the Proposal in final form and approve it

for initiation. If the General Counsel refuses to approve a Proposal for legal reasons, he shall so advise in writing stating briefly those reasons.

Section 4.—Fiscal Ordinances. No Proposal for a fiscal ordinance shall be initiated unless approved by the proper fiscal officer of the city or county or unless that officer has been notified by the Clerk of its receipt at least seven days before introduction.

RULE 6—STAGES OF CONSIDERATION OF PROPOSALS

Section 1. Introduction of Proposals. Proposals shall be introduced and presented to the Council only in the following manner: Under the proper item of business, the Clerk shall read the Proposal, stating only the number, reciting the title, and stating the name of the person initiating the Proposal. After each Proposal is introduced, the President shall state the committee to which the Proposal is referred, or if the Proposal has been previously referred to committee, the committee to which the referral was made. If, by law, a public hearing before the entire Council is required, the President shall state the date of such public hearing.

Section 2. Committee Reports. Whenever a committee acts to return a Proposal to the Council, the chairman shall so inform the Clerk stating in writing whether the committee recommends adoption or denial or reports without recommendation. The Clerk shall then place the Proposal upon the agenda of the Council under the order of business "Special Orders—Final Adoption of Proposals" in the order of receipt of notification of committee action.

Section 3. Public Hearings. Whenever a Proposal is such that by law a hearing must be held before the entire Council, the Clerk shall advertise the hearing on the date set by the President and place the Proposal on the agenda for that meeting under the order of business "Special Orders—Public Hearings" in the order of introduction.

Section 4. Consideration for Final Adoption. No Proposal for an ordinance or general resolution shall be considered for final adoption except when placed upon the agenda as a Special Order. Under the order of business "Modification of Special Orders," it shall be in order to move to advance any Proposal, then introduced

to "Special Order—Final Adoption of Proposals." If the motion be to advance a Proposal first introduced at the same meeting, such motion shall be carried only if eighteen members vote in the affirmative and the Proposal has been distributed in advance of the meeting.

- (a) No Proposal for an ordinance shall be adopted at the same meeting or on the same day of introduction, unless
 - (1) The ordinance is adopted by unanimous consent of the Council members present and at least two thirds of all members are present and voting, or
 - (2) The ordinance was initiated by a Director, Board or Commission and does not provide for an appropriation or tax levy or the incurring of general obligation indebtedness, or
 - (3) The ordinance is for the reappropriation or transfer of funds previously appropriated by the annual budget ordinances.
- (b) Upon reaching the order of business "Special Orders—Public Hearings," the President shall inquire as to each Proposal if members of the public desire to be heard on that Proposal. If any appear wishing to be heard, the Council shall recess to a Committee of the Whole Council as provided in these Rules. If none desire to be heard or upon reconvening the Council, the President shall state that the question before the Council is: "Shall Proposal No. ____ be adopted?"
- (c) Upon reaching the order of business "Special Orders—Unfinished Business" and the order of business "Special Orders—Final Adoption of Proposals," the President shall state with respect to each Proposal in the order listed in the agenda that the question is: "Shall Proposal No. ____ be adopted?"
- (d) If after the President has stated the question on final adoption and the Council has postponed the final vote

or if on final vote the Proposal fails to obtain the necessary vote for adoption or defeat, the Proposal shall be placed on the agenda of the next meeting under the order of business: "Special Orders—Unfinished Business," unless it be referred back to committee or tabled or postponed to a time certain or indefinitely.

- (e) The presiding officer may state the question of final adoption jointly on more than one Proposal; but if any councilman objects, the roll call on adoption shall be taken separately on each Proposal.
- (f) When the President has stated the question on final adoption, he shall first recognize the chairman of the committee to which the Proposal was referred and then the councilman introducing the Proposal, if there be one. After those have spoken or declined to speak, any councilman may be recognized for debate or any other matter properly in order. If the committee has recommended that the Proposal be amended, the chairman shall move the amendment and the amendment shall be disposed of before further debate occurs except as to the amendment.

Section 5. Amendments. No amendment to a Proposal shall be in order unless in writing and copies presented to the President and Clerk. Any amendment may be referred, delayed, or otherwise disposed of without delay or prejudice of the Proposal itself. The adoption of any amendment not having the prior approval of the General Counsel as to form shall have the effect of tabling the Proposal until the next meeting.

Section 6. Reconsideration after Veto. If the Mayor vetoes any ordinance or general resolution of the Council, upon receipt of the communication from the Mayor so informing the Council, or at either of the next two succeeding regular meetings of the Council, any member may move to have the ordinance or general resolution made a special order of unfinished business. Upon coming to that order of business, the President shall state the question: "Shall the ordinance or resolution be effective notwithstanding the veto?" If the question receives the statutory majority of two-thirds ($\frac{2}{3}$) of the members of the Council, the ordinance shall be in effect. If the veto is of one or more items of appropriation,

the motion to make a special order of business shall specify which items shall be considered for adoption notwithstanding the veto; and upon consideration of those items, any member may require that the question be separately put on any one or more of the vetoed items.

RULE 7—PROCEEDINGS AND MOTIONS

Section 1. Roll Call Votes. All votes upon the final adoption of Proposals for ordinances or general resolutions, motions to reconsider, or motions to suspend the rules shall be by roll call vote. If electronic or mechanical voting systems are installed for use of the Council, the recording of the vote by such methods shall be the same as a vote by calling the roll and may be used for the roll call at the opening of a meeting and to determine a quorum. All ordinances or resolutions shall be adopted solely upon the affirmative vote of a majority of all members of the Council. All members present shall vote on all roll call votes except where permitted to abstain by vote of a majority present after stating the reasons therefor.

Section 2. Order of Business. The order of business at each regular meeting and at each special meeting, unless otherwise stated in the call, shall be as follows:

- a. Roll Call
- b. Call for corrections of the Journal
- c. Official communications from the Mayor and other city and county officials
- d. Presentations of Petitions, Memorials, Special Resolutions and Council Resolutions
- e. Introduction and Recognition of Guests and Visitors
- f. Introduction of Proposals
- g. Modifications of Special Orders

- h. Special Orders — Public Hearings
- i. Special Orders — Unfinished Business
- j. Special Orders — Final Adoption of Proposals
- k. Unfinished Business
- l. New Business
- m. Announcements and Adjournments

Section 3. Motions during debate. When a question is under debate, including while special orders are under consideration, no motion shall be considered except one of the following, which motions shall take precedence in the order stated:

- a. To adjourn
- b. For the previous question
- c. To postpone to a time certain
- d. To recommit to a committee
- e. To amend
- f. To postpone indefinitely

When a question is under consideration, a motion to amend and a motion to amend that amendment shall be in order, but no further motion to amend shall be in order until the disposition of that motion.

Section 4. Previous Question. The form of the previous question shall be: "Shall the debate now close?" The motion for the previous question shall require a majority of those voting and shall be decided without debate. All incidental questions of order, arising after a motion is made for a previous question and pending such motion, shall be decided, whether on appeal or otherwise, without debate. When the previous question has been ordered on

a proposition under debate, the proponent of the question shall have two minutes to close the debate; immediately following which the previous question shall be decided.

Section 5. Motion to Adjourn or Recess. A motion to adjourn or recess shall be in order except:

- a. when a member is speaking
- b. while the same item of business is pending during which such a previous motion was defeated
- c. during a roll call

A motion to recess shall take precedence over a motion to adjourn.

Section 3. Section 2-102 through 2-118 and 2-122 of the Code of Indianapolis and Marion County 1970, as amended, are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its adoption.

The motion to amend passed by unanimous voice vote.

Mr. Egenes, seconded by Mr. Cottingham, moved for the passage of City-County General Ordinance No. 293, 1971, as amended.

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

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

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

Abstentions 1, viz: Mr. Neal.

Mr. Brown was excused from the meeting prior to the vote count.

NEW BUSINESS

President Hasbrook announced that the first meeting of the newly elected twenty-nine (29) member council, will be held on January 3, 1972, at the American United Life Insurance Company auditorium.

On motion of Mr. Leak, seconded by Mr. Gorham, the Council adjourned at 11:21 P.M.

We hereby certify that the above and foregoing is a full, true, and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 20th day of December, 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.

Thomas C. Hasbrook

ATTEST:

President

Maryann H. O'Leary

(SEAL)

City Clerk