

REGULAR MEETING

Monday, January 17, 1972, 6:30 P.M.

The Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the auditorium of the American United Life Insurance Company at 7:05 P.M. on Monday, January 17, 1972.

President Hasbrook in the Chair.

The Clerk called the roll.

Present: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. West, and Mr. Hasbrook.

Absent: Mr. Leak.

President Hasbrook called for additions or corrections to the Journal.

There being no corrections, the Journal stands approved as distributed.

President Hasbrook called for the reading of communications.

OFFICIAL COMMUNICATIONS

January 17, 1972

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

Ladies and 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 January 6, and once on January 13, 1972, a "Notice to Taxpayers", of a public hearing on Proposal (for Fiscal Ordinance) Nos. 17, 18, 19 and 20, 1972, to be held Monday, January 17, 1972, in the Auditorium of the American United Life Insurance Company, at 6:30 P.M.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
Clerk

January 17, 1972

Mr. Thomas C. Hasbrook
President, City-County Council
241 City-County Building
Indianapolis, Indiana

Dear Tom:

This letter will serve as my resignation from the City-County Council, effective as of this date.

I have enjoyed my association with you, and hope our relationship in the future will be a good one.

Sincerely,

WILLIAM A. LEAK

Honorable Thomas C. Hasbrook
President, City-County Council
of Indianapolis and Marion County
241 City-County Building
Indianapolis, Indiana 46204

Dear Mr. Hasbrook:

I would like to request the Council's consideration and approval of the following appointment:

William A. Leak to the position of Director of Public Safety

This appointment is made pursuant to the authority granted to the Mayor of Indianapolis by the laws of the State of Indiana and the ordinances of the City-County Council.

Sincerely,

RICHARD G. LUGAR
Mayor

PRESENTATION OF PETITIONS

Mr. SerVaas read Proposal No. 39, 1972.

CITY-COUNTY COUNCIL PROPOSAL NO. 39, 1972 INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A COUNCIL RESOLUTION approving and appointing the Director of the Department of Public Safety as proposed by the Mayor.

After discussion of Proposal No. 39, 1972, the same was adopted by the following roll call vote:

Ayes 20, viz: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. West, and President Hasbrook.

Noes 7, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mrs. Gibson, Mr. Hawkins, and Mrs. Noel.

Mr. Cantwell was absent from the Chambers when the roll was called, without permission.

The proposal was retitled Council Resolution No. 2, 1972, and reads as follows:

COUNCIL RESOLUTION NO. 2, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 39, 1972
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A COUNCIL RESOLUTION approving and appointing the Director of the Department of Public Safety as proposed by the Mayor.

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

Section 1. The mayor having proposed to the council in writing the appointment of William A. Leak as Director of the Department of Public Safety, such proposed appointment is approved as set forth in Section 2 for a term of one (1) year at the pleasure of the mayor.

Section 2. The City-County Council does hereby in all respects approve the appointment of William A. Leak as Director of the Department of Public Safety.

Section 3. This resolution shall be in full force and effect from and after its adoption, with the concurrence of a majority of those councilmen who are members of the Police and Fire Special Services District Committees.

INTRODUCTION OF GUESTS

Mr. Bayt introduced Mr. Larry Rhine of the United Fund.

Mr. Byrum introduced Mrs. Robert Elrod and the Perry Township Teen-age Republican group.

President Hasbrook called for the introduction of proposals.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 21, 1972

Introduced by Councilman Byrum.

A proposal for a General Ordinance amending Title 4, Chapter 8, Section 812, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

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

PROPOSAL NO. 22, 1972

Introduced by Councilman Byrum.

A proposal for a General Ordinance amending Title 4, Chapter 6, Section 602, ONE-WAY STREETS AND ALLEYS.

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

PROPOSAL NOS. 23 through 28, 1972.

Introduced by Councilman Egenes.

A proposal for rezoning ordinances certified from the Metropolitan Development Commission on January 7, 1972.

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

PROPOSAL NO. 29, 1972

Introduced by Councilman Hasbrook.

A proposal for a Fiscal Ordinance transferring \$18,000.00 for the City-County Council.

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

PROPOSAL NO. 30, 1972

Introduced by Councilman Cottingham.

A proposal for a Fiscal Ordinance appropriating \$33,-550.00 for the County Sheriff.

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

PROPOSAL NO. 31, 1972

Introduced by Councilman Byrum.

A proposal for a General Resolution approving the Transportation Board's Capital Improvements Program.

Which was read for the first time and referred to the Committee on Metropolitan Development, (which was later referred to the Committee on Transportation.)

PROPOSAL NO. 32, 1972

Introduced by Councilman Cottingham.

A proposal for a Fiscal Ordinance transferring \$1,-100.00 for the Pike Township Assessor, and transferring \$390.00 for the Prosecuting Attorney.

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

PROPOSAL NO. 33, 1972.

Introduced by Councilman Cottingham.

A proposal for a Fiscal Ordinance appropriating \$147,339.00 for the Prosecuting Attorney.

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

PROPOSAL NO. 34, 1972.

Introduced by Councilman Egenes.

A proposal for a Special Ordinance establishing the name for a certain roadway in Marion County.

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

PROPOSAL NO. 35, 1972

Introduced by Councilman Byrum.

A proposal for a General Ordinance to establish separate procedures for zoning ordinances.

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

PROPOSAL NO. 36, 1972

Introduced by Councilman McPherson.

A proposal for a General Ordinance approving the annexation and incorporation of additional territory into the Indianapolis Sanitary District.

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

PROPOSAL NO. 37, 1972

Introduced by Councilman McPherson.

A proposal for a General Resolution approving the annexation and incorporation of additional territory into the Indianapolis Sanitary District.

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

PROPOSAL NO. 38, 1972

Introduced by Councilman McPherson.

A proposal for a General Resolution approving the annexation and incorporation of additional territory into the Indianapolis Sanitary District.

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

PROPOSAL NO. 41, 1972

Introduced by Councilman Egenes.

A proposal for a General Ordinance adopting a Hazardous Building Code for Indianapolis and Marion County.

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

PROPOSAL NO. 42, 1972

Introduced by Councilman Kimbell.

A proposal for a General Resolution creating the Marion County Criminal Justice Coordinating Council to apply for Federal Funds from the Law Enforcement Assistance Administration of the United States Department of Justice.

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

MODIFICATION OF SPECIAL ORDERS

Mr. Byrum moved, seconded by Mr. Egenes, to consider Proposal No. 35, 1972, for final adoption.

The motion passed by a 28 to 0 roll call vote.

Mr. Byrum moved, seconded by Mr. Schneider, to recess to the Committee of the Whole, which carried by voice vote.

The Chair recessed the Council at 7:28 P.M.

During the recess, an amendment was proposed and the Committee of the Whole recommended passage of Proposal No. 35, 1972 as amended, by unanimous voice vote.

The Council reconvened at 7:45 P.M.

Mr. Schneider moved, seconded by Mr. Byrum, to amend Proposal No. 35, 1972, as follows:

Delete in line 22 the word "postponed" and both commas, delete line 23 entirely, insert line 23 as follows: "by an affirmative vote of eleven members."

The motion to amend was carried by unanimous voice vote.

Mr. Byrum moved, seconded by Mr. Gorham, to further amend Proposal No. 35, 1972 as follows:

Delete "of the next" in line 14, and insert in lieu thereof, "of the same".

The motion to further amend was carried by standing vote.

The proposal, as amended, passed by the following roll call vote:

Ayes 28, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. West, and President Hasbrook.

The proposal, retitled General Ordinance No. 14, 1972, reads as follows:

GENERAL ORDINANCE NO. 14, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 35, 1972 AS AMENDED
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A GENERAL ORDINANCE amending the "RULES OF THE CITY-COUNTY COUNCIL" to establish separate procedures for zoning ordinances.

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

Section 1. Rule 5, Section 1, is amended to add an additional class of ordinances by inserting in that section following "Special Ordinances" the words "Rezoning Ordinances."

Section 2. Rule 6, Section 1, is amended by adding an additional sentence which shall read as follows, to-wit: If the Proposal is for a Rezoning Ordinance which has been certified by the Metropolitan Development Commission, the proposal shall not be referred to a Committee, but the Clerk shall place the Proposal on the agenda of the same Council meeting under the order of business "Special Orders—Final Adoption of Proposals."

Section 3. Rule 6 is further amended by renumbering Sections 5 and 6 as Sections 6 and 7 respectively and adding a new Section 5 to read as follows, to-wit: **Section 5. SPECIAL PROCEDURES FOR REZONING ORDINANCES.** Any proposal for a Rezoning Ordinance when considered on "Special Orders—Final Adoption of Proposals" may be referred to committee by an affirmative vote of eleven members. If the vote on final adoption is taken without a committee hearing or public hearing prior to the vote and the affirmative vote is insufficient to adopt the Proposal, the proposal shall not be defeated but shall be referred to the Metropolitan Development Committee and placed on the agenda of the next Council meeting under the Order of business "Special Orders—Unfinished Business". Upon considering such Proposal at the next meeting, the vote on final adoption of the Proposal shall be to the same effect as a like vote on any other class of Proposal.

Section 4. This ordinance shall be in full force and effect from and after its adoption in compliance with Section 6 of Rule 2 of the Rules of the Council.

Mr. McPherson moved, seconded by Mr. Griffith, to adjourn to the Committee of the Whole to consider Proposal No. 29, 1972, for final action.

After discussion, the motion failed on a 12 aye and 16 no standing vote.

President Hasbrook called for proposals which were advertised for public hearing.

SPECIAL ORDERS — PUBLIC HEARINGS

The Clerk read Proposal No. 17, 1972, for the benefit of the public.

Members of the public were heard on Proposal 17, 1972.

The Proposal passed on the following roll call vote :

Ayes 16, viz: Mr. Brown, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mr. Elmore Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. West, and President Hasbrook.

Noes 12, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mrs. Gibson, Mr. Giffin, Hr. Hawkins, Mrs. Noel, and Mr. Schneider.

The proposal was retitled Fiscal Ordinance No. 1, 1972, and reads as follows :

FISCAL ORDINANCE NO. 1, 1972
CITY-COUNTY COUNCIL PROPOSAL NO. 17, 1972
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1972 (City-County General Ordinance No. 192, 1971, as amended) and appropriating the sum of Eight hundred nineteen thousand one hundred eighty-two dollars (\$819,182.00) for the Department of Public Safety, Alcohol Safety Action Project and reducing the unappropriated City Fund.

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1972, as amended, is hereby further amended by the increases and reductions herinafter stated for the purpose funding the Alcohol Safety Action Project for the calendar year 1972 by use of unanticipated revenues.

Section 2. The sum of Eight hundred nineteen thousand one hundred eighty-two dollars (\$819,182.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated City Fund as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC SAFETY
Alcohol Safety Action Project

	City Fund
1. Services personal	\$130,704.00
2. Services contractual	673,257.00
3. Supplies	3,250.00
5. Current Changes	2,700.00
6. Current Obligations	6,886.00
7. Properties	2,385.00
TOTAL INCREASES	\$819,182.00

Section 4. The said additional appropriations are funded by the following reductions:

	City Fund
Unappropriated City General Fund	\$819,182.00
TOTAL REDUCTIONS	<u>\$819,182.00</u>

Section 5. This Ordinance shall be in full force and effect from and after its adoption, after public hearing, approval by the mayor, publication according to law and approval by the State Board of Tax Commissioners.

After discussion and public hearing, Proposal No. 18, 1972, passed on the following roll call vote:

Ayes 15, viz: Mr. Brown, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mr. Elmore, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. West, and President Hasbrook.

Noes 13, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mrs. Gibson, Mr. Giffin, Mr. Gorham, Mr. Hawkins, Mrs. Noel, and Mr. Schneider.

The proposal was retitled Fiscal Ordinance No. 2, 1972, and reads as follows:

FISCAL ORDINANCE NO. 2, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 18, 1972
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1972 (City-County General

Ordinance No. 192, 1971, as amended) and appropriating the sum of One hundred seventy-three thousand six hundred forty-four dollars (\$173,644.00) for certain purposes of the County Prosecuting Attorney, Presiding Judge Municipal Courts, and Central Data Processing, and reducing the unappropriated County Fund.

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1972, as amended, is hereby further amended by the increases and reductions hereinafter stated for the purpose of funding the Alcohol Safety Action Project for the calendar year 1972 by use of unanticipated revenues.

Section 2. The sum of One hundred seventy-three thousand six hundred forty-four dollars (\$173,644.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated County Fund as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

COUNTY PROSECUTING ATTORNEY

	County Fund
100 — Services, Personal	\$ 29,641.00
200 — Operating Expenses	1,940.00
400 — Current Changes	1,560.00
	<hr/>
INCREASES	\$ 33,141.00

PRESIDING JUDGE MUNICIPAL COURTS

100 — Services, Personal	\$ 85,330.00
200 — Operating Expenses	10,200.00
400 — Current Charges	5,200.00
600 — Properties	4,925.00
	<hr/>
INCREASES	\$105,655.00

CENTRAL DATA PROCESSING

100 — Services, Personal	\$ 32,148.00
200 — Operating Expenses	2,700.00
INCREASES	<u>\$ 34,848.00</u>
TOTAL INCREASES	<u><u>\$173,644.00</u></u>

Section 4. The said additional appropriations are funded by the following reductions:

	County Fund
Unappropriated County Fund	\$173,644.00
TOTAL REDUCTIONS	<u><u>\$173,644.00</u></u>

Section 5. This Ordinance shall be in full force and effect from and after its adoption, after public hearing, publication according to law and approval by the State Board of Tax Commissioners.

Mr. Gorham requested that Proposal No. 19, 1972, be held until after the adoption of Proposal No. 16, 1972.

The chair granted the request.

After discussion and public hearing, Proposal No. 20, 1972, passed on the following roll call vote:

Ayes 28, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus,

Mr. Schneider, Mr. SerVaas, Mr. West, and President Hasbrook.

The proposal was retitled Fiscal Ordinance No. 4, 1972, and reads as follows :

FISCAL ORDINANCE NO. 4, 1972
CITY-COUNTY COUNCIL PROPOSAL NO. 20, 1972
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1972 (City-County General Ordinance No. 192, 1971, as amended) and appropriating and transferring the sum of Eight thousand five hundred dollars (\$8,500.00) for certain purposes of the Criminal Court of Marion County Divisions 3 and 4.

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1972, as amended, is hereby further amended by the increases and reductions hereinafter stated for the purpose of providing office supplies and office equipment for the newly created Divisions of the Criminal Court for the calendar year 1972 by transferring funds within the Budget Accounts of each of said Divisions.

Section 2. The sum of Eight thousand five hundred dollars (\$8,500.00) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the Budget Accounts as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CRIMINAL COURT NO. 3

	County Fund
200 — Operating Expenses	\$1,000.00
600 — Properties	\$4,000.00
	<u> </u>
INCREASES	\$5,000.00

CRIMINAL COURT NO. 4

200 — Operating Expenses	\$1,000.00
600 — Properties	\$2,500.00
	<u> </u>
INCREASES	\$3,500.00
TOTAL INCREASES	<u> </u> \$8,500.00

Section 4. The said additional appropriations are funded by the following reductions:

CRIMINAL COURT NO. 3

	County Fund
100 — Services, Personal	\$5,000.00
	<u> </u>
REDUCTIONS	\$5,000.00

CRIMINAL COURT NO. 4

100 — Services, Personal	\$3,500.00
	<u> </u>
REDUCTIONS	\$3,500.00
TOTAL REDUCTIONS	<u> </u> \$8,500.00

Section 5. This Ordinance shall be in full force and effect from and after its adoption.

SPECIAL ORDERS — FINAL ADOPTION OF PROPOSALS

President Hasbrook called for proposals eligible for final action.

After discussion, Proposal Nos. 1 through 10 and 12 through 14, 1972, passed on the following roll call vote:

Ayes 27, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. West, and President Hasbrook.

(Mr. Ruckelshaus was out of the chamber when the vote was taken)

The proposals were retitled General Ordinance Nos. 1 through 13, 1972, and read as follows:

GENERAL ORDINANCE NOS. 1 THRU 13, 1972

- 71-Z-210 John C. Hart by William F. LeMond, Attorney, 412
A & B Union Federal Bldg. requests rezoning of 0.95
G. O. Nos. 1 & 2 acre, being in C-3 & D-7 districts, to C-1 classifica-
1972 tion and 11.52 acres, being in C-3 & D-7 districts,
to C-3 classification to permit a neighborhood shop-
ping center. Located 7000 block Georgetown Road,
Indianapolis, Pike Township.
- 71-Z-211 John C. Hart by William F. LeMond, Attorney, 412
G. O. No. 3, 1972 Union Federal Bldg. requests rezoning of 24.77
acres, being in D-6, D-7 & C-1 districts, to D-6 II
classification to provide for multiple housing.
Located 6900 block Georgetown Road, Indianapolis,
Pike Township.

- 71-Z-222
G. O. No. 4, 1972 Henry S. & Alma M. Bond, 6849 Mimosa Lane by Paul Travis, Attorney, 6321 Brookville Road request rezoning of 12.07 acres, being in A-2 district, to D-2 classification to provide for residential use by platting. Located south of Southeastern Avenue, east of Acton Road (6602 Mimosa Lane), Indianapolis, Franklin Township.
- 71-Z-223
G. O. No. 5, 1972 College Life Insurance Co. of America, et al by William F. LeMond, Attorney, 412 Union Federal Bldg. requests rezoning of 106.93 acres, being in C-4 & C-2 districts, to C-4 classification to conform zoning boundaries to platted lot lines. Located 3400-3600 blocks West 86th Street, Indianapolis, Pike Township.
- 71-Z-223-A
G. O. No. 6, 1972 College Life Insurance Company of America, et al by William F. LeMond, Attorney, 412 Union Federal Bldg. requests rezoning of 24.90 acres being in C-4 & D-P districts, to F-1 classification to provide permanent open space (lake). Located 8800 north and 232' east of Purdue Road, Indianapolis, Pike Township.
- 71-Z-223-B
G. O. No. 7, 1972 College Life Insurance Co. of America, et al by William F. LeMond, Attorney, 412 Union Federal Bldg. requests rezoning of 61.49 acres, being in C-2 & C-4 districts, to C-2 classification to conform zoning boundaries to platted lot lines. Located 9301-9501 North Michigan Road, Indianapolis, Pike Township.
- 71-Z-224
G. O. No. 8, 1972 Tobey, Inc. by E. W. Tobey, President, 2110 North Meridian St. by Russell J. Ryan, Jr., Attorney, One Indiana Square #1900 requests rezoning of 1.18 acres, being in I-2-U district, to C-5 classification to conform to existing zoning on adjacent lots. Located 2200 block East 44th Street, Indianapolis, Washington Township.
- 71-Z-226
G. O. No. 9, 1972 Edwin O. Oats and James R. Riley by Pilgrim Inns Inc. by Michael J. Kias, Attorney, 3037 South Meridian St. requests rezoning of 7.27 acres, being

in C-3 district, to C-4 classification to provide for the construction of a motor hotel with restaurant and bar facilities. Located south side of I-465, west of South Emerson Avenue (4400 block South Emerson Avenue) Beech Grove, Indiana, Perry Township.

71-Z-227
G. O. No. 10, 1972 The Metropolitan School District of Wayne Township by Philip A. Nicely, Attorney, 1100 First Federal Bldg. requests rezoning of 6.31 acres, being in I-3-U district, to SU-2 classification to provide for an elementary school. Located south of the Airport Expressway and west side of Holt Road (3800 block Bradbury Ave.) in Indianapolis, Wayne Township.

71-Z-232
G. O. No. 11, 1972 American Fletcher National Bank & William K. McGowan, Jr., Vice-President, 101 Monument Circle by James C. Clark, Attorney, 120 East Market St. #715 requests rezoning of 1.21 acres, being in D-4 district, to C-1 classification to permit construction of a branch bank with drive-in facilities. Located 2075 North Shadeland Avenue, Indianapolis, Warren Township.

71-Z-233
G. O. No. 12, 1972 Charles Pechette, 740 East 52nd Street by David A. Jester, Attorney, One Indiana Square #2050 requests rezoning of 47.07 acres, being in A-2 district, to D-2 classification to provide for residential use by platting. Located north of West 91st Street, east of Ditch Road (1100-1300 West 91st Street), Indianapolis, Washington Township.

71-Z-234
G. O. No. 13, 1972 Charles Pechette, 740 East 52nd Street by David A. Jester, Attorney, One Indiana Square #2050 requests rezoning of 13.44 acres, being in A-2 district, to D-6 classification to permit the construction of multi-family dwellings. Located east of Ditch Road, 259 feet north of West 91st Street (9200-9300 blocks Ditch Road) Indianapolis, Washington Township.

After discussion, Proposal No. 16, 1972, passed on the following roll call vote:

Ayes 26, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. West, and President Hasbrook.

Noes 2, viz: Mr. Elmore and Mr. Schneider.

The proposal was retitled General Ordinance No. 15, 1972, and reads as follows:

GENERAL ORDINANCE NO. 15, 1972
CITY-COUNTY COUNCIL PROPOSAL NO. 16, 1972
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A GENERAL ORDINANCE amending "The Code of Indianapolis and Marion County, 1970", as amended, Title 2, Chapter 2, concerning the Office of the Mayor and creating the position of a second Deputy Mayor.

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

Section 1. Title 2, Chapter 2, sections 2-201 and 2-202 of "The Code of Indianapolis and Marion County, 1970," as amended, be, and the same are hereby, amended to read as follows, to-wit:

2-201. Executive duties. The Mayor is the chief executive and administrative officer of the consolidated city. It is his duty by state law to cause the ordinances of the city to be executed and to see to their enforcement together with state law. He supervises the work of its departments, its special taxing districts and special service districts, and in connection therewith has the power to examine any records, make any investigations and require any report from any personnel.

The exercise of any power given to the Mayor by state law may be regulated by ordinance or resolution of the council unless such regulation should conflict with the provisions of state law as it applies to the office of the Mayor. He appoints the directors of the departments of city government for one (1) year terms, subject to the approval of the council. All employees of the city departments and agencies serve at the pleasure of the Mayor unless specifically given tenure pursuant to state law or merit system.

2-202. Deputy Mayors. There shall be a Senior Deputy Mayor and an additional Deputy Mayor, each of whom shall be appointed by the Mayor, subject to the approval of the council, for terms of one year at the pleasure of the Mayor. Such Deputy Mayors shall have only such powers of the Mayor as are specifically and explicitly delegated by the Mayor and then only pursuant to authority established by ordinance of the council. The council may, pursuant to state law, create additional Deputy Mayors by ordinance and specify the extent of their authority.

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

Proposal No. 19, 1972, was called up for a public hearing and passed on the following roll call vote:

Ayes 23, viz: Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Hawkins, Mr. Kimbell, Mr. McPherson,

Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. West, and President Hasbrook.

Noes 5, viz: Mr. Broderick, Mr. Cantwell, Mr. Elmore, Mr. Griffith, and Mr. Schneider.

The proposal was retitled Fiscal Ordinance No. 3, 1972, and reads as follows:

FISCAL ORDINANCE NO. 3, 1972
CITY-COUNTY COUNCIL PROPOSAL NO. 19, 1972
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1972 (City-County General Ordinance No. 192, 1971, as amended) and appropriating the sum of Forty-six thousand five hundred dollars (\$46,500.00) for the Office of the Mayor, and reducing the unappropriated City-Fund.

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

SECTION 1. To provide for expenditures not anticipated at the time of adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1972, as amended, is hereby further amended by the increases and reductions hereinafter stated for the purpose of certain changes in the Office of the Mayor by appropriating a portion of the unappropriated and unencumbered City Fund.

SECTION 2. The sum of Forty-six thousand five hundred dollars (\$46,500.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated City Fund as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

OFFICE OF THE MAYOR

	City Fund
1. Services, Personal	\$ 19,000.00
2. Services, Contractual	7,500.00
7. Properties	20,000.00
TOTAL INCREASES	<u>\$46,500.00</u>

Section 4. The said additional appropriations are funded by the following reductions:

	City Fund
Unappropriated City Fund	<u>\$ 46,500.00</u>
TOTAL REDUCTIONS	<u>\$ 46,500.00</u>

SECTION 5. This Ordinance shall be in full force and effect from and after its adoption, after public hearing, approval by the mayor, publication according to law and approval by the State Board of Tax Commissioners.

OLD BUSINESS

Mr. Cantwell requested that each new member of the Council be supplied a copy of the 1972 budget for the city and county.

Mr. Armstrong, who was present, will honor the request.

NEW BUSINESS

The Clerk read the following communication :

January 12, 1972

Honorable Thomas C. Hasbrook
President, City-County Council
of Indianapolis and Marion County
241 City-County Building
Indianapolis, Indiana 46204

Dear Mr. Hasbrook:

I would like to request the Council's consideration and approval of the following appointment:

David O. Meeker, Jr. to the position of Deputy Mayor

This appointment is made pursuant to the authority granted to the Mayor of Indianapolis by the laws of the State of Indiana and the ordinances of the City-County Council.

Sincerely,

RICHARD G. LUGAR
Mayor

Mr. SerVaas read Proposal No. 40, 1972.

Mr. Boyd moved, seconded by Mr. Cantwell, to amend Proposal No. 40, 1972, to strike out in line 12 and 13, the words, "in all respects".

The motion to amend failed by voice vote.

Proposal No. 40, 1972, passed on the following roll call vote:

Ayes 24, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. West, and President Hasbrook.

Noes 4, viz: Mr. Boyd, Mr. Dowden, Mr. Elmore, and Mr. Schneider.

The proposal was retitled Council Resolution No. 3, 1972, and reads as follows:

COUNCIL RESOLUTION NO. 3, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 40, 1972
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A COUNCIL RESOLUTION approving and appointing the deputy mayor as proposed by the Mayor.

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

SECTION 1. The Mayor having proposed to the council in writing the appointment of David O. Meeker as Deputy Mayor, such proposed appointment is approved as set forth in Section 2 for a term of one (1) year at the pleasure of the mayor.

SECTION 2. The City-County Council does hereby in all respects approve the appointment of David O. Meeker as Deputy Mayor.

SECTION 3. This resolution shall be in full force and effect from and after its adoption.

Mr. Byrum read Proposal No. 43, 1972.

A point of law as to whether the proposal was proper was brought up.

Legal counsel ruled that under new business, the proposal was in order.

The proposal passed by voice vote of 27 to 1, Mr. Cantwell dissenting, was retitled Council Resolution No. 4, 1972, and reads as follows :

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1972

A RESOLUTION requesting unfavorable action on Senate Bill 232, concerning Zoning Procedures in Marion County:

WHEREAS, it has been called to the attention of the members of the City-County Council that Senate Bill 232 has been introduced and reported out of committee with a recommendation that the same pass the Indiana Senate; and

WHEREAS, the City-County Council feels such legislation is not in the best interests of responsive local government of Indianapolis; and

WHEREAS, Senate Bill 232 was not submitted as an administration bill to the legislature;

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

That the Marion County committees of the Indiana General Assembly be requested to act unfavorably upon the passage of Senate Bill 232 in its present form.

President Hasbrook, as Chairman of the Committee on Committees, appointed Mr. Alan Kimbell as Chairman of the Public Safety Committee.

President Hasbrook announced that a meeting of the Rules and Policy Committee would be held at 2:30 P.M. on Monday, January 24, 1972, at American United Life Insurance Company.

Mr. Kimbell announced that the Committee on Public Safety would hold a meeting at 3:00 P.M. on Monday, January 24, 1972, at the American United Life Insurance Company.

President Hasbrook announced that a Special Meeting of the City-County Council would be held at 5:00 P.M. on Monday, January 24, 1972, at the American United Life Insurance Company and notice of this meeting would be mailed to each councilman.

There being no further business, on motion of Mr. Gorham, seconded by Mr. Ruckelshaus, the meeting adjourned at 9:13 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 3rd day of January, 1972, 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.



President

ATTEST



(SEAL)

Clerk of the City-County Council