

## REGULAR MEETING

Monday, August 7, 1972, 6:40 P.M.

The Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 6:40 P.M., Monday, August 7, 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, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Absent: Mrs. Gibson and Mr. Hawkins.

President Hasbrook called for additions or corrections to the Journal.

There being no corrections, the Journal of July 24, 1972, stands approved as distributed.

President Hasbrook called for reading of communications.

## OFFICIAL COMMUNICATIONS

July 26, 1972

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

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Acting Clerk of the City-County Council, Mrs. Jean A. Wyttenbach, the following City-County Resolutions and Ordinances:

SPECIAL RESOLUTION NO. 7, 1972, urging the business and financial community to support the building fund campaign for the Westview Osteopathic Medical Hospital.

GENERAL RESOLUTION NO. 14, 1972, authorizing the Mayor to execute certain amendments to the grant agreement with the U.S. for the Indianapolis Community Services Program.

FISCAL ORDINANCE NO. 25, 1972, transferring \$3,000 for certain purposes of the Records Division.

FISCAL ORDINANCE NO. 26, 1972, appropriating \$458,481.00 for certain purposes of the Department of Parks and Recreation.

GENERAL ORDINANCE NO. 56, 1972, amending Title 4, Chapter 13, Section 1303(2) thereof, Trucks on Certain Roads Restricted — 5 Ton; and Chapter 13, Section 1303(4) thereof, Trucks on Certain Roads Restricted — 2 Ton.

GENERAL ORDINANCE NO. 63, 1972, amending Title 4, Chapter 8, Section 812 thereof, Parking Prohibited at all Times on Certain Streets.

Respectfully submitted,

RICHARD G. LUGAR

Mayor

August 7, 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 posted in three public places and published in the Indianapolis News and the Indianapolis Commercial on July 28, 1972, and August 3, 1972, a "Notice to Taxpayers" of a public hearing on Proposal Nos. 293, 294, and 324, 1972, to be held on Monday, August 7, 1972, in the Council Chambers, City-County Building, at 6:30 P.M.

I also caused to be published in the Indianapolis News and the Indianapolis Star, on July 29, 1972, and August 4, 1972, City-County General Ordinance Nos. 56 and 63, 1972.

Respectfully submitted,

JEAN A. WYTTENBACH

Acting Clerk of the City-County Council

August 7, 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 in the Indianapolis News and the Indianapolis Star on July 26, 1972, a "Notice to Taxpayers" of a public hearing on Proposal Nos. 301 through 305, 1972 — proposals for Rezoning Ordinances certified by the Metropolitan Development Commission, to be held on Monday, August 7, 1972, in the Council Chambers, City-County Building, at 6:30 P.M.

Respectfully submitted,

JEAN A. WYTENBACH

Acting Clerk of the City-County Council

President Hasbrook called for introduction of guests.

#### INTRODUCTION OF GUESTS

Mrs. Noel introduced her father, Mr. Ernest Adams.

President Hasbrook called for introduction of proposals.

#### INTRODUCTION OF PROPOSALS

PROPOSAL NOS. 326 through 329, 1972

Introduced by Councilman Byrum.

PROPOSAL NO. 326, 1972

A proposal for a General Ordinance amending Title 4, Chapter 6, Section 602 thereof, One-Way Streets and Alleys, providing penalties and fixing a time when the same shall take effect.

PROPOSAL NO. 327, 1972

A proposal for a General Ordinance amending Title 4, Chapter 8, Section 812 thereof, Parking Prohibited at all Times on Certain Streets, providing penalties and fixing a time when the same shall take effect.

PROPOSAL NO. 328, 1972

A proposal for a General Ordinance amending Title 4, Chapter 7, Section 709 thereof, Vehicles Must Stop Before Entering Preferential Streets, providing penalties and fixing a time when the same shall take effect.

PROPOSAL NO. 329, 1972

A proposal for a Fiscal Ordinance transferring the sum of Two Million Six Hundred Nineteen Thousand, Four Hundred Fifty-Two Dollars and Forty-Two Cents (\$2,619,452.42) from certain designated Bridge Projects to the Unappropriated Marion County Cumulative Bridge Fund; and transferring and appropriating the sum of

One Million Six Hundred Eighteen Thousand Eight Hundred Eight Dollars and Eight Cents (\$1,618,808.08) from the unencumbered and unappropriated balance of the Marion County Cumulative Bridge Fund to certain other designated Bridge Projects, and fixing a time when same shall take effect.

Which were read and referred to the Committee on Transportation.

PROPOSAL NO. 330, 1972

Introduced by Councilman Gorham.

A proposal for a Special Ordinance authorizing the sale of surplus County real estate, fixing the terms and conditions for said sale and fixing the date upon which this Ordinance shall be effective.

Which was read and referred to the Committee on Administration.

PROPOSAL NO. 331, 1972

Introduced by Councilman Cottingham.

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-Six Dollars (\$176.00) for certain purposes of the County Cooperative Exten-

sion Service by reducing certain other appropriations of that Department.

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

PROPOSAL NO. 332, 1972

Introduced by Councilman Kimbell.

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 Four Thousand Six Hundred Dollars (\$4,600.00) for certain purposes of the Civil Defense Division, Department of Public Safety by reducing certain other appropriations of that Division.

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

PROPOSAL NO. 333, 1972

Introduced by Councilman Gorham.

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 Six Thousand Six Hundred Eighty-Three Dollars and Thirty-Six Cents (\$6,683.36), for certain purposes of the Department of Administration, Central Pur-

chasing Division, by reducing the unappropriated City General Fund.

Which was read and referred to the Committee on Administration.

PROPOSAL NOS. 334 through 349, 1972

Introduced by Councilman Egenes.

A proposal for Rezoning Ordinances, certified from the Metropolitan Plan Commission on August 2, 1972.

Which was read and placed on the agenda under Special Orders — Final Adoption.

PROPOSAL NO. 350, 1972

Introduced by Councilman Cottingham.

A proposal for a General Ordinance fixing the salaries of all officers, deputies, assistants and employees, whose salaries are paid from any county fund, except those excluded by I.C. 1971, 17-1-24-18.1, and fixing the number of deputies, assistants and employees of each such office, department, commission and agency for the calendar year 1973.

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

President Hasbrook called for modification of special orders.

### MODIFICATION OF SPECIAL ORDERS

Councilman Griffith moved, seconded by Councilman Gorham to schedule Proposal 346, 1972, for public hearing, as follows:

Mr. President:

I move that the City-County Council do hold, a further public hearing on Proposal No. 346, 1972, entitled, "A Proposal for A RE-ZONING ORDINANCE as certified by the Metropolitan Development Commission as Docket No. 72-Z-184, that the Council do hereby schedule the same for a public hearing before the full City-County Council at its next regular meeting on August 28, 1972, at 6:30 P.M., or as soon thereafter as the same may be heard; and that the Clerk be and is hereby instructed to cause the proper legal notices of such hearings to be given.

DONALD N. GRIFFITH,  
Councilman

The motion carried by unanimous voice vote.

Councilman Gilmer moved, seconded by Councilman Giffin to schedule Proposal Nos. 334 and 344, 1972, for public hearing, as follows:

Mr. President:

I move that the City-County Council do hold a further public hearing on Proposal Nos. 334, and 344, 1972, entitled, "A Proposal for

A REZONING ORDINANCE" as certified by the Metropolitan Development Commission as Docket No. 72-Z-114 and 181, that the Council do hereby schedule the same for a public hearing before the full City-County Council at its next regular meeting on August 28, 1972, at 6:30 P.M., or as soon thereafter as the same may be heard; and that the Clerk be and is hereby instructed to cause the proper legal notices of such hearings to be given.

GORDON G. GILMER,  
Councilman

The motion carried by unanimous voice vote.

President Hasbrook called for special orders, public hearing.

#### SPECIAL ORDERS — PUBLIC HEARING

Members of the public were invited to be heard on Proposal Nos. 293, 294, 324 and 301 through 305, 1972.

After discussion, Proposal No. 293, 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, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Proposal No. 293, 1972, retitled Fiscal Ordinance No. 27, 1972, reads as follows :

CITY-COUNTY FISCAL ORDINANCE NO. 27, 1972

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 Ten Thousand Dollars (\$10,000.00) for certain purposes of the Center Township Assessor by reducing certain appropriations for the Central Data Processing Agency.

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

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 to provide additional funds for the rental of office equipment and the purchase of printing and stationery for the Center Township Assessor by reducing certain appropriations for the Central Data Processing Agency.

SECTION 2. The sum of Ten Thousand Dollars (\$10,000.00) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CENTER TOWNSHIP ASSESSOR

	County Fund
200 Operating Expenses .....	\$ 1,892.00
400 Current Charges .....	\$ 108.00
	<hr/>
TOTAL INCREASES .....	\$10,000.00

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

**CENTRAL DATA PROCESSING**

	County Fund
100 Services—Personal .....	\$10,000.00
<b>TOTAL REDUCTIONS .....</b>	<b>\$10,000.00</b>

SECTION 5. This Ordinance shall be in full force and effect from and after adoption following public hearing and approval by the State Board of Tax Commissioners.

After discussion, Proposal No. 294, 1972, passed on the following roll call vote:

Ayes 21, viz: Mr. Bayt, Mr. Boyd, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Noes 6, viz: Mr. Broderick, Mr. Brown, Mr. Cantwell, Mr. Dowden, Mr. McPherson and Mr. Schneider.

Proposal No. 294, 1972, retitled Fiscal Ordinance No. 28, 1972, reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 28, 1972**

**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 Twenty Thousand Dollars (\$20,000.00), for certain purposes of the Finance Division, Department of Administration by reducing the unappropriated City General Fund.

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

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 to provide for expenditures in connection with improving the capacity of local government pursuant to contracts with the Community Services Program by appropriating the unanticipated revenues from reimbursement of such expenditures.

SECTION 2. The sum of Twenty Thousand Dollars (\$20,000.00) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION

	Finance Division	City General Fund
100 Services — Personal .....		\$18,500.00
200 Services — Contractual .....		1,000.00
700 Properties .....		500.00
		<u>          </u>
TOTAL INCREASES .....		\$20,000.00

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

	City General Fund
Unappropriated City General Fund .....	20,000.00
	<u>          </u>
TOTAL REDUCTIONS .....	\$20,000.00

SECTION 5. This Ordinance shall be in full force and effect upon its adoption, after public hearing, approval by the Mayor and approval by the State Board of Tax Commissioners.

After discussion, Councilman Kimbell moved, seconded by Councilman Giffin to table Proposal No. 324, 1972.

The motion carried by unanimous voice vote.

Councilman Boyd received permission to leave the Chambers.

Councilman Byrum requested to be excused from the Chamber, due to a conflict of interest in the rezoning cases to be considered.

Proposal Nos. 301 through 305, 1972, were discussed at great length.

Mr. William F. LeMond, attorney representing the petitioners, spoke in favor of the Proposals, and Mr. Ted B. Lewis, representing the remonstrators, spoke unfavorably on the Proposals. Mr. Chris Litscher and Mr. Terrence Eads also spoke unfavorably on the Proposals. Slides were shown and informational material passed to the Councilmen.

After further discussion, Councilman Gilmer moved, seconded by Councilman Bayt, that Proposal Nos. 301 through 305 be rejected as follows:

Mr. President:

I move that City-County Council Proposal Nos. 301 through 305, 1972, (inclusive), being rezoning ordinances certified by the Metropolitan Development Commission as Docket Nos. 72-2-126 through 130 (inclusive) be rejected.

GORDON GILMER,  
Councilman

Proposal Nos. 301 through 305, 1972, were rejected on the following roll call vote:

Ayes 25, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

President Hasbrook called for a five minute recess at 8:15 P.M.

The meeting reconvened at 8:20 P.M.

President Hasbrook again called for modification of special orders.

#### MODIFICATION OF SPECIAL ORDERS

Councilman Gorham was not present in the Chambers.

Councilman Egenes moved, seconded by Councilman Clark, to hear Proposal No. 227, 1972, under special orders, final adoption.

The motion carried by unanimous voice vote.

President Hasbrook called for special orders, final adoption.

#### SPECIAL ORDERS — FINAL ADOPTION

After discussion, Proposal No. 227, 1972, failed for want of a majority, as follows:

Ayes 12, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Egenes, Mr. Kimbell, Mrs. Noel, Mr. Patterson, Mr. SerVaas and President Hasbrook.

Noes 13, viz: Mr. Cantwell, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. McPherson, Mrs. Miller, Mr. Ruckelshaus, Mr. Schneider, Mr. Tintera and Mr. West.

Councilman Byrum moved, seconded by Councilman Egenes, to amend Proposal No. 251, 1972, as follows:

Mr. President:

I move that City-County Council Proposal No. 251, 1972, be amended as follows:

Strike Section 3 in its entirety and insert a new section, as follows:

“Section 3. This ordinance shall be in full force and effect from and after January 1, 1973.”

WM. K. BYRUM,  
Councilman

The motion carried by unanimous voice vote.

After discussion, Proposal Nos. 251, 1972, as amended; 253 and 264, 1972, passed on the following roll call vote:

Ayes 24, viz: Mr. Bayt, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Proposal Nos. 251, 253 and 264, 1972, retitled General Ordinance Nos. 65, 66 and 67, 1972, read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 1972

A GENERAL ORDINANCE amending the “Municipal Code of Indianapolis 1951,” as amended, and more particularly Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS providing penalties, and fixing a time when the same shall take effect.

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

SECTION 1. Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS is hereby, amended by the addition of the following:

Street	Side of Street	From	To
Indiana Avenue	Southwest	West Street	Stadium Drive

SECTION 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 1-601, of the Municipal Code of Indianapolis 1951, as amended.

SECTION 3. This Ordinance shall be in full force and effect from and after January 1, 1973.

CITY-COUNTY GENERAL ORDINANCE NO. 66, 1972

A GENERAL ORDINANCE amending the "Municipal Code of Indianapolis 1951," as amended, and more particularly Title 4, Chapter 6, Section 602 thereof, ONE-WAY STREETS AND ALLEYS providing penalties, and fixing a time when the same shall take effect.

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

SECTION 1. Title 4, Chapter 6, Section 602 thereof, ONE-WAY STREETS AND ALLEYS is hereby, amended by the deletion of the following:

Street	From	To	Direction
Windsor Street	10th Street	12th Street	Southbound
Sterling Street	10th Street	12th Street	Northbound
Tecumseh Street	10th Street	12th Street	Southbound

SECTION 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 1-601, of the Municipal Code of Indianapolis 1951, as amended.

SECTION 3. This Ordinance shall be in full force and effect from and after its adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1972

A GENERAL ORDINANCE amending the "Municipal Code of Indianapolis 1951," as amended, and more particularly Title 4, Chapter 5, Section 506 thereof, providing penalties, and fixing a time when the same shall take effect.

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

SECTION 1. Title 4, Chapter 5, Section 506 thereof, LEFT TURNS PROHIBITED AT CERTAIN INTERSECTIONS, is hereby amended by the addition of the following:

Section 506(5), Left Turns Prohibited 6:00 A.M. to 9:00 A.M., and 3:00 P.M. to 6:00 P.M., from Meridian Street northbound to westbound

Walnut Street

St. Clair Street

Arch Street

9th Street

St. Joseph Street

10th Street

14th Street

17th Street

18th Street

19th Street

20th Street

21st Street

McLean Place

22nd Street

24th Street

Fall Creek Parkway, South Drive

Fall Creek Parkway, North Drive

26th Street

27th Street

28th Street

29th Street

32nd Street

36th Street

and from Meridian Street southbound to eastbound

37th Street

36th Street

34th Street

33rd Street

32nd Street

28th Street

27th Street

Fall Creek Parkway, North Drive

Fall Creek Parkway, South Drive

25th Street

24th Street

23rd Street

22nd Street  
21st Street  
18th Street  
14th Street  
10th Street  
St. Joseph Street  
9th Street  
Arch Street  
St. Clair Street  
North Street

SECTION 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 1-601, of the Municipal Code of Indianapolis 1951, as amended.

SECTION 3. This Ordinance shall be in full force and effect from and after its adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

Councilman Byrum moved, seconded by Mr. Elmore, to amend Proposal 252, 1972, as follows:

Mr. President:

I move that City-County Council Proposal No. 252, 1972, be amended as follows:

Delete the following in Line 16: "either"

Delete the following in Line 17 and 18: "or in the semi-enclosed area located at the east side of the City Market building, or both."

WILLIAM K. BYRUM,  
Councilman

The motion carried by unanimous voice vote.

After discussion, Proposal No. 252, 1972, was tabled; and the Clerk was ordered to invite Mr. Frank Murray to the next meeting of the Council on August 28, 1972, to discuss the Proposal.

After discussion, Proposal No. 290, 1972, passed on the following roll call vote:

Ayes 25, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPher-son, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckels-haus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Proposal No. 290, 1972, retitled Fiscal Ordinance No. 29, 1972, reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 29, 1972**

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 Two Hundred Dollars (\$200.00) for certain purposes of the County Coroner by reducing certain other appropriations for that office.

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

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 to allow for the purchase of additional office supplies by reducing certain other appropriations for that office.

SECTION 2. The sum of Two Hundred Dollars (\$200.00) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

COUNTY CORONER

	<b>County Fund</b>
200 Operating Expenses .....	\$200.00
	<hr/>
TOTAL INCREASES .....	\$200.00

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

COUNTY CORONER

	<b>County Fund</b>
100 Services — Personal .....	\$200.00
	<hr/>
TOTAL REDUCTIONS .....	\$200.00

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

After discussion, Proposal No. 291, 1972, passed on the following roll call vote:

Ayes 25, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Proposal No. 291, 1972, retitled Fiscal Ordinance No. 30, 1972, reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1972

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 Fifty Dollars (\$150.00) for certain purposes of Superior Court Room No. 2 by reducing certain other appropriations for that office.

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

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 to pay necessary expenses of jury travel by reducing certain other appropriations for that office.

SECTION 2. The sum of One Hundred Fifty Dollars (\$150.00) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

**SUPERIOR COURT ROOM 2**

	<b>County Fund</b>
200 Operating Expenses .....	\$150.00
	_____
<b>TOTAL INCREASES .....</b>	<b>\$150.00</b>

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

**SUPERIOR COURT ROOM 2**

	<b>County Fund</b>
400 Current Charges .....	\$150.00
	_____
<b>TOTAL REDUCTIONS .....</b>	<b>\$150.00</b>

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

After discussion, Proposal No. 292, 1972, passed on the following roll call vote:

Ayes 24, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Noes 1, viz: Mr. Cantwell

Proposal No. 292, 1972, retitled Fiscal Ordinance No. 31, 1972, reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1972

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 Fifteen Hundred Dollars (\$1,500.00) for certain purposes of the Marion County Home by reducing certain other appropriations for that office.

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

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 to provide for additional pay for hourly employees and the purchase of additional materials by reducing certain other appropriations for that office.

SECTION 2. The sum of Fifteen Hundred Dollars (\$1,500.00) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

COUNTY HOME

	County Fund
100 Services — Personal .....	\$1,000.00
400 Current Charges .....	500.00
	<hr/>
TOTAL INCREASES .....	\$1,500.00

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

COUNTY HOME

	<b>County Fund</b>
200 Operating Expenses .....	\$1,500.00
	<hr/>
TOTAL REDUCTIONS .....	\$1,500.00

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

After discussion, Proposal Nos. 296 and 274, 1972, passed on the following roll call vote:

Ayes 24, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Noes 1, viz: Mr. Clark

Proposal Nos. 296 and 274, 1972, retitled Fiscal Ordinance Nos. 32 and 33 respectively, read as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1972

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 Five Thousand Dollars (\$5,000.00) for certain purposes of the Criminal Court of Marion County Division IV and reducing certain other appropriations for that office.

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

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 Division IV of the Criminal Court for the calendar year 1972 by transferring funds within the Budget Accounts of said Division.

SECTION 2. The sum of Five Thousand Dollars (\$5,000.00) 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. IV

	County Fund
200 Operating Expenses .....	\$1,000.00
600 Properties .....	4,000.00
	<hr/>
TOTAL INCREASES .....	\$5,000.00

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

CRIMINAL COURT NO. IV

	<b>County Fund</b>
100 Services — Personal .....	\$5,000.00
	<hr style="width: 100%;"/>
TOTAL REDUCTIONS .....	\$5,000.00

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

CITY-COUNTY FISCAL ORDINANCE NO. 33, 1972

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 Five Thousand Dollars (\$5,000.00) for certain purposes of the Criminal Court of Marion County Division III and reducing certain other appropriations for that office.

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

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 Division III of the Criminal Court for the calendar year 1972 by transferring funds within the Budget Accounts of said Division.

SECTION 2. The sum of Five Thousand Dollars (\$5,000.00) 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. III

	County Fund
200 Operating Expenses .....	\$1,100.00
600 Properties .....	3,900.00
	<hr/>
TOTAL INCREASES .....	\$5,000.00

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

## CRIMINAL COURT NO. III

	County Fund
100 Services — Personal .....	\$5,000.00
	<hr/>
TOTAL REDUCTIONS .....	\$5,000.00

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

After discussion, Proposal 203, 1972, failed to pass on the following roll call vote:

Ayes 14, viz: Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. McPherson, Mr. Patterson, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Noes 11, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Ruckelshaus, and Mr. Schneider.

After discussion, Proposal 210, 1972, passed on the following roll call vote:

Ayes 25, viz: Mr. Bayt, Mr. Broderick Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Proposal No. 210, 1972, retitled General Ordinance No. 69, 1972, reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 1972

A GENERAL ORDINANCE amending "General Ordinance No. 109, 1967, as amended," of the Common Council of the City of Indianapolis, an ordinance regulating control of the atmosphere.

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

SECTION 1. General Ordinance No. 109, 1967, as amended, (adopted by the Common Council of the City of Indianapolis) be, and is hereby, amended by striking in its entirety subsection (33) of Section 1.3.

SECTION 2. General Ordinance No. 109, 1967, as amended, (adopted by the Common Council of the City of Indianapolis) be, and is hereby, amended by inserting in proper alphabetical sequence in Section 1.3 the following additional definitions, to-wit:

"SUBMERGED FILL PIPE — any fill pipe the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank; or when applied to a tank which is loaded from the side, shall mean any fill pipe the discharge of which is entirely submerged when the liquid level is 18 inches or is twice the diameter of the fill pipe, whichever is greater, above the bottom of the tank."

"VOLATILE ORGANIC MATERIALS — any material containing carbon and hydrogen or containing carbon and hydrogen in combination with any other element which has a vapor pressure of 2.5 pounds per square inch absolute or greater under actual conditions."

SECTION 3. This Ordinance shall be in full force and effect from and after adoption, approval by the Mayor, and publication according to law.

Councilman Kimbell after reporting on the Committee's action to amend Proposal 236, 1972, moved to table until the Committee could discuss the proposal further. Mr. Campbell seconded the motion.

The motion carried by unanimous voice vote.

After discussion, Proposal No. 299, 1972, passed on the following roll call vote:

Ayes 25, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Proposal No. 299, 1972, retitled General Ordinance No. 70, 1972, reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 1972

A GENERAL ORDINANCE amending the RULES OF THE CITY-COUNTY COUNCIL to establish procedures with respect to majority and minority committee reports.

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

SECTION 1. Section 10 of Rule 3 of the RULES OF THE CITY-COUNTY COUNCIL be, and is hereby amended to read as follows, to-wit:

Section 10. Action and reports on proposals. Any permanent or standing committee, to which a proposal has been referred, shall report to the Council upon each such proposal within 45 days of its referral, either with or without the recommendation, unless the President of the Council shall withdraw the proposal or reassign it. After any hearing by the committee upon a proposal, the chairman of the committee shall submit a formal report of the committee's action in writing to the Clerk of the Council. Such report shall include any recommendations supported by a majority of the committee and may, upon request of any Councilman, include a minority position. Any member of a committee may file a minority report. Such reports shall be filed in sufficient time to permit the Clerk to circulate copies to all Councilmen prior to the next scheduled meeting of the Council. Copies of all committee reports shall remain on file in the Clerk's Office readily available to the press and public.

SECTION 2. Subsection (f) of Section 4 of Rule 6 of the RULES OF THE CITY-COUNTY COUNCIL be, and is hereby amended to read as follows:

(f) When the President has stated a question on final adoption he shall call upon the Clerk or the chairman of the committee to which the matter was referred to announce the committee recommendations. The President shall then 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 or 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. If there be a minority report of the committee to which the proposal was referred, a motion shall be in order for action on the minority report. The question shall then be upon agreement to the minority report.

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

After discussion, Mr. West moved, seconded by Mr. Giffin, to hold Proposal 322, 1972.

The motion carried by unanimous voice vote.

After discussion, Mr. Ruckelshaus moved, seconded by Mr. Cantwell to strike Proposal No. 295, 1972.

The motion carried on the following roll call vote:

Ayes 16, viz: Mr. Bayt, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus and Mr. Tintera.

Noes 2, viz: Mr. Cantwell and Mrs. Noel.

No action was taken on Proposal Nos. 335 through 343, 345 and 347 through 349, 1972.

The Proposals were retitled Rezoning Ordinance Nos. 139 through 151, 1972, and read as follows:

72-Z-122 DECATUR TOWNSHIP, COUNCILMANIC DIS-  
P. O. No. 335 TRICT NO. 19, 4480 MANN ROAD, INDIANAPOLIS  
R. O. No. 139 John R. Beasley by Charles F. Efroymsen, Jr., Attor-  
ney-in-fact, One Indiana Bank Tower No. 2130 requests  
rezoning of 7.94 acres, being in A-2 district, to D-6 II  
classification to permit apartment development.

72-Z-123 DECATUR TOWNSHIP, COUNCILMANIC DIS-  
P. O. No. 336 TRICT NO. 19, 4420 MANN ROAD, INDIANAPOLIS  
R. O. No. 140 John R. Beasley by Charles F. Efroymsen, Jr., Attor-  
ney-in-fact, One Indiana Bank Tower No. 2130 requests  
rezoning of 4.06 acres, being in A-2 district, to D-6 II  
classification to permit apartment development.

72-Z-144 WASHINGTON TOWNSHIP, COUNCILMANIC DIS-  
P. O. No. 337 TRICT NO. 2, 5741-59 NORTH MICHIGAN ROAD,  
R. O. No. 141 INDIANAPOLIS  
Helen J. Keeney by William F. LeMond, Attorney, 412  
Union Federal Building requests rezoning of 0.68 acres,  
being in D-5 district, to C-3 classification to provide  
for restaurant expanded parking facilities.

72-Z-152 CENTER TOWNSHIP, COUNCILMANIC DISTRICT  
P. O. No. 338 NO. 10, 3020, 3024, 3052, 3054, 3104, 3122 SOUTHER-  
R. O. No. 142 LAND AVE., INDIANAPOLIS  
St. Peter Claver Charities of Indianapolis, Ind. by Fay  
H. Williams, Attorney, 136 East Market Street No. 620  
requests rezoning of 3.90 acres, being in D-5 district,  
to SU-34 classification to permit a Private Club.

72-Z-155 WARREN TOWNSHIP, COUNCILMANIC DISTRICT  
P. O. No. 339 NO. 13, 11000 EAST 10TH STREET, INDIANAPOLIS  
R. O. No. 143 Arley & Helen Bangel by Henry Y. Dein, Attorney,  
One Indiana Square No. 2050 request rezoning of 0.92  
acre, being in A-2 district, to C-4 classification to pro-  
vide for a gasoline service station.

72-Z-156 WARREN TOWNSHIP, COUNCILMANIC DISTRICT  
P. O. No. 340 NO. 13, 11030 EAST 10TH STREET, INDIANAPOLIS  
R. O. No. 144 Arley & Helen Bangel by Henry Y. Dein, Attorney,  
One Indiana Square No. 2050 request rezoning of 2.89  
acres, being in A-2 district, to C-3 classification to pro-  
vide for a convenience shopping center.

72-Z-161 PIKE TOWNSHIP, COUNCILMANIC DISTRICT NO.  
P. O. No. 341 1, 7502 WESTLANE ROAD, INDIANAPOLIS  
R. O. No. 145 Bonnie Jean Johnson, Executrix of the Estate of  
Emsley Johnson, Jr. by William F. LeMond, Attorney,  
412 Union Federal Building requests rezoning of 60.00  
acres, being in A-2 district, to D6-II classification to  
provide for an apartment complex.

72-Z-178 PIKE TOWNSHIP, COUNCILMANIC DISTRICT NO.  
P. O. No. 342 8, 3900 GEORGETOWN ROAD, INDIANAPOLIS  
R. O. No. 146 Carl R. Tracy, Richard A. & Florence G. West by  
Charles T. Gleason, Attorney, One Indiana Square No.  
1930 request rezoning of 0.83 acre, being in SU-34  
district, to C-5 classification to permit retail automobile  
sales.

72-Z-179 WARREN TOWNSHIP, COUNCILMANIC DISTRICT  
P. O. No. 343 NO. 12, 3020 NORTH POST ROAD, INDIANAPOLIS  
R. O. No. 147 Lincoln & Henry C. Pierce by Charles G. Castor, At-  
torney, One Indiana Square No. 2050 request rezoning  
of 2.95 acres, being in I-2-S district, to C-3 classification  
to permit construction of a retail sales facility.

72-Z-183 WARREN TOWNSHIP, COUNCILMANIC DISTRICT  
P. O. No. 345 NO. 12, 6455-57 MASSACHUSETTS AVENUE, INDI-  
R. O. No. 148 ANAPOLIS

Lottie M. Koehler by David A. Jester, Attorney, 914 Circle Tower Bldg. requests rezoning of 1.47 acres, being in D-3 district, to I-2-S classification to provide for an office and warehouse.

72-Z-185 WARREN TOWNSHIP, COUNCILMANIC DISTRICT  
P. O. No. 347 NO. 12, 2210 POST ROAD, INDIANAPOLIS  
R. O. No. 149 Earl W. & Jeanette Springer by Richard Adomatis, Attorney, 300 East Fall Creek Parkway request rezoning of 12.95 acres, being in SU (Airport) district, to C-4 classification to permit general commercial use.

72-Z-186 PERRY TOWNSHIP, COUNCILMANIC DISTRICT  
P. O. No. 348 NO. 25, 4615 SOUTH HARDING STREET, INDIAN-  
R. O. No. 150 APOLIS  
General Motels Corp. by Charles G. Castor, Attorney, One Indiana Square No. 2050 requests rezoning of 4.00 acres, being in I-3-S district, to C-2 classification to provide for the construction and operation of a Holiday Inn Motel.

72-Z-190 PERRY TOWNSHIP, COUNCILMANIC DISTRICT  
P. O. No. 349 NO. 25, 1641 EAST SOUTHPORT ROAD, INDIAN-  
R. O. No. 151 APOLIS  
Union Bank & Trust Co. by Charles S. Boehm, Agent, 45 North Penn. Street requests rezoning of 1.03 acres, being in A-2 district, to C-3 classification to permit the construction of a Pizza Hut.

President Hasbrook again mentioned that a public hearing would be held on Proposal Nos. 334, 344 and 346, 1972, on August 28, 1972.

Mr. Brown moved, seconded by Mr. Griffith, to reconsider Proposal No. 203, 1972.

The motion carried on the following roll call vote :

Ayes 17, viz: Mr. Bayt, Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mr. Patterson, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Noes 7, viz: Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mrs. Miller, Mrs. Noel, Mr. Ruckelshaus and Mr. Schneider.

After discussion, Mr. Schneider moved, seconded by Mr. Griffith, to amend Proposal No. 203, 1972, by changing the per 100 cu. ft. figure, as follows:

Schedule of Rates

<u>Block Rate</u>	<u>Monthly</u>	<u>Per 100 cu. ft.</u>
First	1000 cu. ft.	\$0.50 changed to \$0.40

The motion failed on the following roll call vote:

Ayes 9, viz: Mr. Bayt, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Noel, Mr. Ruckelshaus, Mr. Schneider and Mr. West.

Noes 16, viz: Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. SerVaas, Mr. Tintera and President Hasbrook.

After further discussion, Proposal 203, 1972, passed on the following roll call vote :

Ayes 16, viz: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. SerVaas, Mr. Tintera, Mr. West and President Hasbrook.

Noes 9, viz: Mr. Bayt, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Kimbell, Mrs. Noel, Mr. Ruckelshaus and Mr. Schneider.

Proposal No. 203, 1972, retitled General Ordinance No. 68, 1972, reads as follows :

CITY-COUNTY GENERAL ORDINANCE NO. 68, 1972

A GENERAL ORDINANCE to provide for service charges or fees for the use of the sewerage system of the Department of Public Works by persons owning or occupying real estate connected to said sewerage system.

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

SECTION 1. When used in this ordinance, the following terms shall be defined as follows :

(A) Sewerage System. The term "sewerage system" shall mean and include all plants or sewerage treatment works, systems, facilities or properties used or useful or having the present capacity for future use in connection with the collection, carrying away, treating, neutralizing, stabilizing or disposing of sewage,

industrial waste or other wastes and any integral part thereof, including disposal fields, lagoons, pumping stations, drainage ditches, surface water intercepting sewers, lateral sewers, force mains, pipes, pipe lines, conduits, equipment, appurtenances, and all properties, rights, easements and franchises relating thereto and deemed necessary or convenient by the Director of Public Works for the operation thereof.

- (B) Sewage. The term "sewage" shall mean the water-carried wastes created in and carried, or to be carried, away from residences, hotels, schools, hospitals, industrial establishments, or any other private or public building, together with such household and industrial wastes as may be present, including water-carried garbage waste.
- (C) Person. The word "person" whenever used in any section of this Ordinance shall be held and construed to mean and include individuals of either sex; firms; joint adventures; partnerships; corporations; clubs; agencies; instrumentalities; Governmental units; the United States of America, The state of Indiana, and all political subdivisions, authorities, district, departments, agencies, bureaus, and instrumentalities thereof; and any, all and each of them, and all associations or organizations of natural persons, either incorporated or unincorporated, however operated or named and whether acting by themselves, servants, or fiduciary, whether or not of a charitable or eleemosynary character.

SECTION 2. Sewerage Service Charge. That there is hereby charged to each person owning or occupying real estate within the Indianapolis Sanitary District that is partially or entirely exempt from property taxation and is connected with and uses the sewerage system of the Department of Public Works, Indianapolis, Indiana, by or through any part of the sewerage system, or that in any way uses or is served by such works, either directly or indirectly, a sewerage service charge payable to the Department of Public Works as hereinafter provided.

SECTION 3. Rate. The said sewerage service charge shall be based upon the quantity of water used by the person owning or occupy-

ing such real estate, and measured by Indianapolis Water Company meters or by meters acceptable to the Director of the Department of Public Works, as follows:

SCHEDULE OF RATES

EFFECTIVE JUNE 1, 1972

<u>Block Rate</u>	<u>Monthly</u>	<u>Per 100 cu. Ft.</u>
First	1,000 cu. ft.	\$0.50
Next	3,000 cu. ft.	\$0.36
Next	46,000 cu. ft.	\$0.26
Next	50,000 cu. ft.	\$0.16
Over	100,000 cu. ft.	\$0.12

MINIMUM CHARGE PER METER

<u>Size of meter</u>	<u>Monthly</u>
5/8 inch	\$ 5.00
3/4 inch	\$ 5.00
1 inch	\$ 7.50
1 1/2 inch	\$ 7.50
Over 1 1/2 inch	\$25.00

SECTION 4. Billings. The Department of Public Works shall enter into a contract with the Indianapolis Water Company for the use of its services in ascertaining water volume to be utilized in determining charges imposed by this ordinance and in billing for such charges and for the payment to it of just and reasonable compensation for its said services. All persons subject to the rates imposed by this Ordinance and further, said persons were connected to the Indianapolis Water Company system shall have their water meters and shall be billed in accordance with the rules and regulations of the Indianapolis Water Company as may be enforced according to law from time to time, payable within ten (10) days after mailing of billings to the Department of Public Works.

SECTION 5. Municipal Charge. There shall be imposed a minimum monthly billing charge against each such persons herein defined and subject to the charge imposed by this Ordinance in the amount of Five (\$5.00) Dollars.

SECTION 6. Enforcement. Delinquencies in payments of charges and fees imposed by this Ordinance shall be collected according to the provisions contained in Chapter 160, Acts of 1953 as amended.

SECTION 7. This Ordinance shall be in full force and effect from and after its adoption, approval by the Mayor, and publication according to law.

## ANNOUNCEMENTS

Mr. Ruckelshaus announced budget hearings on Welfare would be Tuesday, August 8, 1972, at 9:00 a.m.; on Grants, Nobel School, etc., August 9, 1972, at 9:00 a.m.

Mr. Cottingham announced that the County and Township Committee would meet on August 8, 1972, at 4:00 p.m.

Mr. Egenes announced that the Metropolitan Development Committee would meet on August 9, 1972, at 4:00 p.m.

Mr. West announced that the Economic Development Committee would meet on August 20, 1972, at 4:00 p.m.

Mr. Gorham announced that the Administration Committee would meet on August 8 and 9, 1972, at 6:00 p.m.

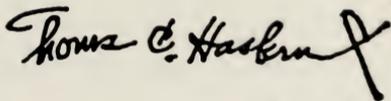
Mr. Kimbell announced that the Public Safety Committee would meet on August 14, 1972, at 7:00 p.m.

### ADJOURNMENT

There being no further business, on motion made by Mr. Giffin, seconded by Mr. Gorham, the meeting adjourned at 9:40 p.m.

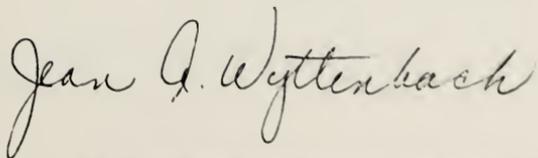
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 7th day of August, 1972, at 6:40 P.M.

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*