

## REGULAR MEETING

Monday, June 4, 1973, 7:00 p.m.

A Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 7:10 p.m., Monday, June 4, 1973. President Hasbrook in the Chair. President Hasbrook opened the meeting with prayer, followed by the Pledge of Allegiance.

### ROLL CALL

The President instructed the Clerk to take the roll. Twenty-nine members being present, he announced a quorum. The roll call was as follows: Present: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cartwell, 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. Tintera, Mr. West and President Hasbrook.

### APPROVAL OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for May 21, 1973, as distributed. There being no corrections, the Journal of May 21, 1973, stands approved as distributed.

**OFFICIAL COMMUNICATIONS**

President Hasbrook called for reading of communications. The Clerk read the following:

May 23, 1973

**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 Clerk of the City-County Council, Mrs. Jean A. Wyttenbach, the following City-County Ordinances.

**SPECIAL ORDINANCE NO. 1, 1973**, changing the name of a certain street in Marion County, Indiana.

**FISCAL ORDINANCE NO. 32, 1973**, amending the City-County Annual Budget for 1973 (City-County General Ordinance No. 72, 1972 as amended) and appropriating the sum of Forty-three thousand two hundred fifty dollars (\$43,250.00) for certain purposes of providing an additional Municipal Court for the Alcoholic Safety Action Program, Department of Public Safety, by reducing the Unappropriated City General Fund.

**GENERAL ORDINANCE NO. 27, 1973**, amending the Code of Indianapolis and Marion County, 1970, by amending Title 2, Chapter 2, Section 2-211 to increase the membership of the Economic Development Commission.

Respectfully,

**RICHARD G. LUGAR**  
Mayor

June 4, 1973

**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 (3) public places and published in the Indianapolis News and the Indianapolis Commercial on May 24, 1973, and May 31, 1973, a "Notice to Taxpayers" of a public hearing on Proposal No. 204, 1973, to be heard on Monday, June 4, 1973, in the Council Chambers, City-County Building, at 7:00 P.M.

I also caused to be published in the Indianapolis News and the Indianapolis Commercial on May 24, 1973, a "Notice to Taxpayers" of a public hearing on Proposal No. 219, 1973, proposal for Rezoning Ordinance certified by the Metropolitan Development Commission, to be held on Monday, June 4, 1973, in the Council Chambers, City-County Building, at 7:00 P.M.

I also caused to be published in the Indianapolis News and the Indianapolis Commercial, on May 24, and May 31, 1973, General Ordinance No. 27, 1973, and Special Ordinance No. 1, 1973.

Respectfully submitted,

JEAN A. WYTENBACH  
Clerk of the City-County Council

**PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS  
AND COUNCIL RESOLUTIONS**

President Hasbrook called for presentation of petitions.

*PROPOSAL NO. 227, 1973.* Councilman Giffin read Proposal No. 227, 1973, and moved its adoption. Councilman Kimbell seconded the motion. Councilman Broderick moved, seconded by Councilman Giffin, to amend Proposal No. 227 1973, as follows:

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## CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 227, 1973, be amended as follows:

In Paragraph 3 after the word "Whereas," add the words "The Indiana State Police," and in Section 1, line 2 after the word "the" add the words "The Indiana State Police," and in Section 2, line 2 after the word "to" add the words "State Superintendent Robert Konkle."

LAWRENCE F. BRODERICK  
Councilman

Proposal No. 227, as amended, was adopted by unanimous voice vote. Proposal No. 227, 1973, was retitled Special Resolution No. 16, 1973, and reads as follows:

## CITY-COUNTY SPECIAL RESOLUTION NO 16, 1973

A SPECIAL RESOLUTION concerning the commendable actions of all Marion County policing units at the Indianapolis 500.

WHEREAS, the Indianapolis 500 Mile Race is the largest and most exciting spectacle of sport in the United States; and

WHEREAS, the month of May and especially those days involved in the race weekend and the race days themselves present difficult problems of safety and well being to the spectators; and

WHEREAS, the Marion County Sheriffs Department, the Indianapolis Police Department, the Indiana State Police and the personnel of the auxiliary units of these departments have again in 1973, done an outstanding job of controlling and protecting the citizens of Indianapolis, Marion County, Indiana, and the visitors to our City for the unusually lengthy 1973, 500 Mile Race; now, therefore:

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

Section 1. The Council requests all citizens of Indianapolis and of Marion County, Indiana, to join them in commending the Marion County Sheriffs Department, the Indianapolis Police Department, the Indiana State Police and their auxiliary personnel for the meritorius service provided by them to the citizens of Indianapolis and Marion County during the Indianapolis 500 activities.

Section 2. The Clerk of the City-County Council is directed to suitably inscribe copies of this Resolutions for delivery to Marion County Sheriff Lee Eads and Indianapolis Police Chief, Winston Churchill and State Police Superintendent, Robert Konkle.

*PROPOSAL NO. 224, 1973.* Councilwoman Gibson introduced and read the Proposal for a Special Resolution recognizing "Women's Army Reserve Month." Councilwoman Gibson moved, seconded by Councilman Giffin, to adopt Proposal No. 224, 1973. The Proposal was adopted by unanimous voice vote. Proposal No. 224, 1973, was retitled Special Resolution No. 17, 1973, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 1973

A SPECIAL RESOLUTION recognizing "Women's Army Reserve Month".

WHEREAS, the Army Reserve offers an active training program for women between the ages of 18 and 35 who wish to learn career skills and also share in the defense of our country; and

WHEREAS, regardless of marital status, a woman may enlist and participate in one of over 300 career fields which she can apply to later employment either as a civilian or as an officer in the Army Reserve; and

WHEREAS, upon completion of the necessary aptitude and physical tests, the enlistee enters service for three years, learning job training, becoming acquainted with many new individuals, and performing an important role as a member of the Army Reserve; and

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WHEREAS, at present, sixty-five women from Indiana and Michigan have enlisted with the 123rd U.S. Army Reserve Command, in Indianapolis; and

WHEREAS, Mayor Richard G. Lugar has proclaimed the month of June, 1973, as "Women's Army Reserve Month"; now, therefore:

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

Section 1. That the City-County Council join in the celebration of "Women's Army Reserve Month", and urges all of its citizens to join in honoring these dedicated women.

### INTRODUCTION OF GUESTS

President Hasbrook called for introduction of guests. Councilman Schneider introduced Kathryn DeVoe, "Miss Indianapolis."

Councilman Gorham introduced Evan Parker, a nominee for appointment to the Human Rights Commission.

Councilman Griffith introduced Ida May Wolf, President of the Franklin Township Civic League.

### INTRODUCTION OF PROPOSALS

*PROPOSAL NO 222, 1973.* Introduced by Councilwoman Noel. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance transferring and appropriating the sum of \$62,000 for certain projects and activities of the CSP," and the President referred it to the Community Affairs Committee, Public Hearing to be held on June 18, 1973.

*PROPOSAL NO. 223, 1973.* Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1973 and appropriating the sum of \$100,000 for certain purposes of the Department of Public Safety, by reducing the unappropriated City General Fund." The President referred it to the Public Safety Committee, Public Hearing to be held on June 18, 1973.

*PROPOSAL NO. 225, 1973.* Introduced by Councilman Cottingham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period of July 1, 1973 to December 31, 1973, in anticipation of current taxes levied in the year 1973; authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said Fund to the payment of said tax anticipation time warrants including the interest thereon." The President referred it to the County Townships Committee, Public Hearing to be held on June 18, 1973.

*PROPOSAL NO. 226, 1973.* Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance approving temporary tax anticipation borrowing, authorizing the City of Indianapolis to make a temporary loan for the use of the Park General Fund and Sanitary Maintenance and General Expense Fund during the period July 1, 1973 to December 31, 1973." The President referred it to the Administration Committee, Public Hearing to be held on June 18, 1973.

*PROPOSAL NO. 228, 1973.* Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a General Ordinance regulating the procedure for settlement of disputes concerning wages or rates of pay and other terms and conditions of employment of members of the Indianapolis Police Department and Indianapolis Fire Force." The President referred it to the Public Safety Committee.

*PROPOSAL NO. 229, 1973.* Introduced by Councilman Hasbrook. The Clerk read the proposal entitled: "A proposal for a Council Resolution approving appointments by the Judges of the Municipal Court for the operation of an Alcoholic Rehabilitation Program under contract with Alcoholic Rehabilitation Center, Inc.; and the president referred it to the Public Safety Committee.

### **SPECIAL ORDERS—PUBLIC HEARING**

President Hasbrook called for proposals eligible for public hearing. Members of the public were invited to be heard on proposals eligible for public hearing. The Council was recessed for public hearing at 7:35 p.m. and reconvened at 8:27 p.m.

*PROPOSAL NO. 219, 1973.* During the recess, testimony was given on Proposal No. 219, 1973 by the Director of Metropolitan Development, Michael Carroll.

Councilman West moved, seconded by Councilman Schneider, to amend Proposal No. 219, 1973. After dis-

cussion, Councilman Schneider withdrew his second and Councilman West withdrew his motion.

After discussion, Proposal No. 219, 1973 was *adopted* on a roll call vote; *viz:* 27 Ayes: 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. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West. 1 Noe: Mr. Elmore. Mr. Bayt was out of Chambers at the time vote was taken. Proposal No. 219, 1973, was retitled Rezoning Ordinance No. 100, 1973, and reads as follows:

73-AO-1 — P. O. No. 219, 1973 — — R. O. No. 100, 1973—

The Metropolitan Development Commission of Marion County, Indiana proposes amendment to said Marion County Council Ordinance No. 8—1957, as amended, and all zoning ordinances adopted as parts thereof, by the adoption of Ordinance 73-AO-1, amending the PLANNED UNIT DEVELOPMENT DISTRICT REGULATIONS of the DWELLING DISTRICTS ZONING ORDINANCE of Marion County, Indiana (Ordinance 66-AO-2, as amended).

*PROPOSAL NO. 204 1973.* After discussion, the proposal was *adopted* on the following roll call vote; *viz:* 27 Ayes: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West. 1 Noe: Mr. Cantwell.

Mr. Bayt was out of Chambers at the time vote was taken. Proposal No. 204, 1973, was retitled Fiscal Ordinance No. 35, 1973, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 1973

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of One thousand one hundred thirty dollars (\$1,130.00) for certain purposes of the Board of Review by reducing certain appropriations for that agency and for the Inheritance Tax 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 1973, as amended, is hereby further amended by the increases and reductions hereinafter stated to provide for additional expenses for extra help for the Board of Review by transferring and reappropriating certain appropriations for that office and for the Inheritance Tax office.

Section 2. The sum of One thousand one hundred thirty dollars (\$1,130.00) 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:

BOARD OF REVIEW

	County General Fund
100 Services Personal	\$ 1,130.00
	<hr/>
TOTAL INCREASES	\$ 1,130.00

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

BOARD OF REVIEW

	<b>County</b>	
	<b>General Fund</b>	
100 Services Personal	\$	680.00
INHERITANCE TAX DEPARTMENT		
100 Services Personal	\$	450.00
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TOTAL REDUCTIONS	\$	1,130.00

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

PROPOSAL NO. 205, 1973. After discussion, proposal was adopted on the following roll call vote; viz: 26 Ayes: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West. 1 Noe: Mr. Cantwell. Mr. Bayt and Mr. Gorham were out of the Chamber at the time vote was taken. Proposal No. 205, 1973, was retitled Fiscal Ordinance No. 37, 1973, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 1973

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of Two thousand five hundred dollars (\$2,500.00) for certain purposes of Criminal Court, Division IV, by reducing certain other appropriations for that Court.

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 1973, as amended, is hereby further amended by the increases and reductions hereinafter stated to allow for the purchase of additional supplies and equipment for Criminal Court, Division IV, by reducing other appropriations for that Court.

Section 2. The sum of Two thousand five hundred dollars (\$2,500.00) 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:

CRIMINAL COURT

Division IV

	County General Fund
300 Supplies	\$ 2,000.00
700 Properties	500.00
TOTAL INCREASES	\$ 2,500.00

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

CRIMINAL COURT

Division IV

	County General Fund
100 Services Personal	\$ 2,500.00
TOTAL REDUCTIONS	\$ 2,500.00

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

*PROPOSAL NO. 10, 1937.* After discussion and upon

motion duly made, seconded and adopted by voice vote, Proposal No. 10, 1973, was *stricken*.

Mr. Ruckelshaus requested that action on Proposal No. 16, 1973, be deferred until he could obtain more information on the sponsor for the proposal. President Hasbrook called for action on Proposal No. 170, 1973.

*PROPOSAL NO. 170, 1973.* After discussion, proposal was passed on the following roll call vote; *viz: 23 Ayes:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cantwell, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Servaas, Mr. Tintera, Mr. West. *6 Noes:* Mr. Byrum, Mr. Dowden, Mr. Giffin, Mr. Gorham, Mr. McPherson, Mr. Schneider. Proposal No. 170, 1973, was retitled Fiscal Ordinance No. 39, 1973, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 1973

A FISCAL ORDINANCE transferring and appropriating the sum of Ten Thousand (\$10,000.00) Dollars for certain projects and activities of the Community Services Program and authorizing the Mayor to execute an amendment to the grant agreement with the United States of America to include those projects and activities in Year 3 of the Community Services Program.

WHEREAS, by grant agreement executed August 24, 1970, between the United States of America and the City of Indianapolis, the City of Indianapolis became a participant in and receives Federal assistance for carrying out the Comprehensive Program under Title 1 of the Demonstration Cities and Metropolitan Development Act of 1966; and

WHEREAS, the City-County Council by its adoption of General Resolution No. 27, 1972, authorized the submission of the proposed 1973 program amendments for action Year 3 to the Secretary of Housing and Urban Development; and

WHEREAS, the City of Indianapolis desires to carry out an amended Comprehensive Program with further Federal financial assistance under said act; and

WHEREAS, the proposed Action Year 3 amendments to the Comprehensive Year Program are described and set forth in a revised budget grant submitted to the secretary (copies of which dated, October 6, 1972, are on file with the Clerk of the Council and incorporated herein by reference) and have now been submitted to this Council for appropriate action upon the appropriations therefor; and

WHEREAS, the City-County Council determines to approve the projects and activities as hereinafter defined and to appropriate the funds for the same, all in accordance with this ordinance; now, therefore,

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

Section 1. Of the Action Year 3 amendments to the Comprehensive Year Program set forth in the revised grant budget submitted to the Secretary of Housing and Urban Development, those activities and programs relating to Education are approved in accordance with the appropriations authorized by this section. From the unappropriated and unencumbered Community Services Program Fund (a Federal grant), the following sums are appropriated for the purposes, programs and activities as follows, to wit:

#### COMMUNITY SERVICES PROGRAM

	C.S.P. FUND
200 Services Contractual	\$10,000.00
WITCO Education Program Sponsored by the Indianapolis Settlements, Inc.	\$10,000.00
TOTAL APPROPRIATION	\$10,000.00

Section 2. The Mayor is authorized to accept the revised grant budget as it pertains to these activities approved in Section 1 and to execute an amendment to the Community Services Program grant agreement to that effect.

Section 3. The Mayor is authorized to do all things necessary to carry out the Comprehensive Program in accordance with this ordinance, including the submission of such reports, certification, and other material as the Secretary shall require.

Section 4. The Controller or his successor or his delegate may do all things required to be done in order to obtain payment of the grant, including but not limited to the selection of a commercial bank to receive payment vouchers, the submission of signature specimens, and the filing of requests for payment.

Section 5. The City-County Council assumes full responsibility for assuring that all grant funds will be used in an economical and efficient manner in carrying out the Comprehensive Program, as amended, and assures the necessary non-Federal share of the costs of program administration.

Section 6. The City Controller is directed to pay no claim authorized by this Ordinance, which includes payment or reimbursement for salaries unless there is attached to such claim an affidavit or other proof that all salaries are either within the schedules adopted by the Director of Administration for City employees, or has been approved by the specific action of the Council Committee to which it was assigned.

Section 7. This ordinance shall be in full force and effect from and after its passage following public hearing and approval by the Mayor and State Board of Tax Commissioners.

*PROPOSAL NO. 175, 1973.* Councilman Ruckelshaus moved, seconded by Councilwoman Miller, to amend Proposal No. 175, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 175, 1973, be amended as follows:

By striking all of Section 1 beginning with line 10, and inserting in lieu thereof, the following:

Community Action Against Poverty	\$98,640.00
to reimburse deficits incurred by	
Demonstration Child Care.	
<b>TOTAL APPROPRIATION</b>	<b>\$98,640.00</b>

JOHN C. RUCKELSHAUS  
Councilman

The motion to *amend* was *carried* by unanimous voice vote. After discussion Proposal No. 175, 1973, as amended, was *defeated* on a roll call vote; *viz*: 10 *Ayes*: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mrs. Gibson, Mr. Hawkins, Mrs. Noel, Mr. SerVaas. 18: *Noes*: Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. Tintera, Mr. West. Mr. Bayt was out of Chambers at the time vote was taken.

*PROPOSAL NO. 177, 1973.* Councilman Kimbell moved, seconded by Councilman Tintera, to amend Proposal No. 177, 1973, as follows:

#### CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 177, 1973, be amended as follows:

- (a) in Section 1, line 2, strike the words "Marion County" and insert in lieu thereof the words "Indianapolis Police Special Service District"; and
- (b) in Section 2, line 3 and Section 3, line 5, strike the words "Marion County, Indiana" and insert in lieu thereof the words "Indianapolis Police Special Service District"; and
- (c) in Section 7, line 2, strike the period and insert the following: " ; provided that until this ordinance is separately approved and concurred in by the Police Special Service District Council this ordinance shall be suspended and of no effect."

ALAN R. KIMBELL  
Councilman

The motion to *amend* was *carried* by the following roll call vote; *viz: 16 Ayes*: Mr. Brown, Mr. Cantwell, Mr. Clark, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera. *13 Noes*: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Cottingham, Mr. Egenes, Mrs. Gibson, Mr. Hasbrook, Mr. McPherson, Mrs. Noel, Mr. Ruckelshaus, Mr. West.

After discussion, Proposal No. 177, 1973, as amended, was *passed* on the following roll call vote; *viz: 21 Ayes*: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. SerVaas, Mr. Tintera, Mr. West. *8 Noes*: Mr. Byrum, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Gorham, Mr. Griffith, Mr. Ruckelshaus, Mr.

Schneider. Proposal No. 177, 1973, as amended, was re-titled General Ordinance No. 28, 1973, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 1973

A GENERAL ORDINANCE declaring the use of certain methods of trapping to be a nuisance, regulating trapping in Marion County and providing penalties for violation thereof.

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

Section 1. The use, setting or placing at any place upon any land or waters within the Indianapolis Police Special Service District of any leg hold trap or similar device is hereby declared to be a public nuisance and unlawful.

Section 2. It is unlawful for any person to use, place or set, or cause to be used, placed or set, any leg hold trap or similar device upon any land or waters in the Indianapolis Police Special Service District.

Section 3. It is unlawful for any person to use, place or set, or cause to be used, placed or set, any snare, net or other device which causes trapping or capturing of any animal or bird in any manner by which the animal or bird is not either captured painlessly or killed instantly upon any land or waters in the Indianapolis Police Special Service District.

Section 4. It is unlawful for any person who having placed a lawful trap, snare or similar device to fail to inspect and empty it at least once every twenty-four (24) hours.

Section 5. It is unlawful for any person to remove any animal or bird from any trap not on his property without permission of the owner of the property.

Section 6. Any person violating this ordinance shall, upon conviction, be fined not more than five hundred dollars (\$500) and/or imprisoned for a period not to exceed one hundred eighty (180) days.

Section 7. This ordinance shall be in full force and effect from and after July 1, 1973; provided that until this ordinance is separately approved and concurred in by the Police Special Service District Council this ordinance shall be suspended and of no effect.

*PROPOSAL NO. 16, 1973.* Councilman Ruckelshaus moved, seconded by Councilman Griffith, to amend Proposal No. 16, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 16, 1973, be amended as follows:

Strike the figures "\$38,100" where that number appears in lines 9, 10, 13 and 14 of Section 1, and insert in lieu thereof, in each instance, the figures "\$20,000"; and

Amend the title of the Proposal by striking the words and figures "Thirty-eight Thousand One Hundred (\$38,100) Dollars", and insert in lieu thereof, the words and figures "Twenty Thousand (\$20,000) Dollars".

JOHN C. RUCKELSHAUS  
Councilman

The motion to *amend* was *carried* by unanimous voice vote. After discussion, Proposal No. 16, 1973, as amended, was *passed* on the following roll call vote; *viz*: 20 *Ayes*: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. Tintera, Mr. West. 8 *Noes*: Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr.

Giffin, Mr Gorham, Mr. McPherson, Mr. Schneider. Mr. Boyd was out of Chambers at the time vote was taken. Proposal No. 16, 1973, as amended, was retitled Fiscal Ordinance No. 38 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 1973

A FISCAL ORDINANCE transferring and appropriating the sum of Twenty thousand dollars (\$20,000.00) for certain projects and activities of the Community Services Program and authorizing the Mayor to execute an amendment to the grant agreement with the United States of America to include those projects and activities in Year 3 of the Community Services Program.

WHEREAS, by grant agreement executed August 24, 1970, between the United States of America and the City of Indianapolis, the City of Indianapolis became a participant in and receives Federal assistance for carrying out the Comprehensive Program under Title 1 of the Demonstration Cities and Metropolitan Development Act of 1966; and

WHEREAS, the City-County Council by its adoption of General Resolution No. 27, 1972, authorized the submission of the proposed 1973 program amendments for action Year 3 to the Secretary of Housing and Urban Development; and

WHEREAS, the City of Indianapolis desires to carry out an amended Comprehensive Program with further Federal financial assistance under said act; and

WHEREAS, the proposed Action Year 3 amendments to the Comprehensive Year Program are described and set forth in a revised budget grant submitted to the secretary (copies of which dated, October 6, 1972, are on file with the Clerk of the Council and incorporated herein by reference) and have now been submitted to this Council for appropriate action upon the appropriations therefor; and

WHEREAS, the City-County Council determines to approve the projects and activities as hereinafter defined and to appropriate the

funds for the same, all in accordance with this ordinance; now, therefore,

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

Section 1. Of the Action Year 3 amendments to the Comprehensive Year Program set forth in the revised grant budget submitted to the Secretary of Housing and Urban Development, those activities and programs relating to Education are approved in accordance with the appropriations authorized by this section. From the unappropriated and unencumbered Community Services Program Fund (a Federal grant), the following sums are appropriated for the purposes, programs and activities as follows, to wit:

COMMUNITY SERVICES PROGRAM

	C.S.P. FUNDS
200 Services Contractual	\$20,000.00
	\$20,000.00

Adult Learning Programs Sponsored by Indiana University-Purdue University at Indianapolis on behalf of the Consortium on Urban Education

Southside (u/c CAAP)	\$20,000.00
	<hr/>
TOTAL ADDITIONAL APPROPRIATION	\$20,000.00

Section 2. The Mayor is authorized to accept the revised grant budget as it pertains to these activities approved in Section 1 and to execute an amendment to the Community Services Program grant agreement to that effect.

Section 3. The Mayor is authorized to do all things necessary to carry out the Comprehensive Program in accordance with this ordinance, including the submission of such reports, certification, and other material as the Secretary shall require.

Section 4. The Controller or his successor or his delegate may do all things required to be done in order to obtain payment of the grant, including but not limited to the selection of a commercial bank to

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receive payment vouchers, the submission of signature specimens, and the filing of requests for payment.

Section 5. The City-County Council assumes full responsibility for assuring that all grant funds will be used in an economical and efficient manner in carrying out the Comprehensive Program, as amended, and assures the necessary non-Federal share of the costs of program administration.

Section 6. The City Controller is directed to pay no claim authorized by this Ordinance, which includes payment or reimbursement for salaries unless there is attached to such claim an affidavit or other proof that all salaries are either within the schedules adopted by the Director of Administration for City employees, or has been approved by the specific action of the Council Committee to which it was assigned.

Section 7. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

*PROPOSAL NO. 190, 1973.* Councilman Byrum moved, seconded by Councilman Egenes, to Suspend the Rules to allow Mr. Michael Boeke, State Administrative Building Council member, to testify on the ordinance. The Rules were *suspended* by the following roll call vote; *viz:* 20 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cantwell, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mrs. Gibson, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Noel, Mr. Patterson, Mr. Scheider, Mr. SerVaas, Mr. Tintera, Mr. West. 9 Noes: Mr. Campbell, Mr. Clark, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mrs. Miller, Mr. Ruckelhaus. Mr. Boeke was allowed seven (7) minutes for testimony.

After discussion, Proposal No. 190, 1973, was *passed* by the following roll call vote; *viz:* 27 Ayes: 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. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. Tintera, Mr. West. 1 Noe: Mr. SerVaas. Mr. Gorham was out of Chambers at the time vote was taken. Proposal No. 190, 1973, was retitled General Ordinance No. 29, 1973, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 1973

A GENERAL ORDINANCE amending Title 5, Chapter 10, Section 5-1004 of the "Code of Indianapolis and Marion County, 1970, as amended," establishing additional requirements with respect to automatic sprinkler systems, and requiring their installation in certain buildings.

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

Section 1. The "Code of Indianapolis and Marion County, 1970, as amended, "Title 5, Chapter 10, Section 5-1004 be, and is hereby, amended to read as follows:

5-1004. Where Automatic Sprinklers Required.

(a) Standard automatic sprinklers shall be installed and maintained as specified in NFPA standards no. 13 and 13A in the following places.

(1) Where required by the Life Safety Code, NFPA standard no 101.

(2) Other building areas or occupancies required by Chapter 138, Fire Extinguishing Equipment of the Administrative Building Council, rules and regulations.

(3) All basements, cellars and sub-cellars, except one and

two family dwellings, exceeding two thousand five hundred (2,500) square feet in area within enclosing masonry walls, and used for the storage, sale, manufacture or handling of materials indicated in sub-section 4 of this section. Where adequate heat is not provided, such systems may be omitted if in the opinion of the chief of the bureau, concurred in by the chief of the fire department, the hazard is not severe, provided that such places shall be equipped with a suitable dry sprinkler system with a fire department connection on the building front, or with suitable cellar flooding holes properly distributed in the first floor of the building, or with an approved standpipe system, with fire department connection on the street and control devices so located and arranged that streams from nozzles on the standpipe can be controlled from the outside of the building, and also that all such places shall be provided with an approved automatic heat-actuated alarm system connected to an outside gong or to the control station of a supervising company.

(4) Basements, cellars and sub-cellars requiring the above protection are those in connection with: Rag, paper or junk storage; shipping, receiving or storage of furniture, dry goods, toys and other articles involving quantities of excelsior, moss, paper, and like materials; manufacture of articles containing or involving highly combustible materials; storage of dangerous chemicals, acids or flammable liquids.

(5) All new or structurally remodeled buildings that are open to the public, and that are five (5) or more stories high.

(6) Other highly hazardous areas as may be required in other chapters of this code or by the chief of the bureau.

(b) A building required by this provision to be equipped with an automatic sprinkler system shall have such systems installed so as to protect each floor, the basement and any sub-basement of the building.

(c) The automatic sprinkler system required by this section shall conform, in all respects, to at least the minimum standards for types of systems, water supplies, system components, spacing, location and position of sprinkler, test, and maintenance as contained in the National Fire Protection Association's "Standard for the Installation of Sprinkler Systems N.F.P.A. No. 13, 1972," as supplemented, revised, and amended. However, all automatic

sprinkler systems shall have an automatic alarm system that is connected to the local fire department's alarm office.

(d) The chief of the bureau shall have the power and duty to enforce the provisions of this section. He shall have the duty to inspect, and approve, all preliminary and working plans for sprinkler systems in buildings to which this chapter is applicable. He shall have the duty to inspect and approve the final installation of a sprinkler system before the building may be opened to the general public. He shall also periodically inspect sprinkler systems to determine whether they are being maintained properly.

*PROPOSAL NO. 199, 1973.* After discussion and upon motion duly made and seconded, Proposal No. 199, 1973, was *stricken* by the following roll call vote; *viz:* 18 Ayes: Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mrs. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West. 9 Noes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Giffin, Mr. Hawkins, Mr. McPherson, Mr. Noel. Mr. Gorham and Mr. Ruckelshaus were out of Chambers at the time vote was taken.

Mr. Bayt introduced Proposal No. 230, 1973, entitled "a proposal to disannex certain territory of the City of Indianapolis in order that it may be annexed to the City of Beech Grove." and it was referred to the Committee on Public Safety.

### OLD BUSINESS

Councilman Egenes requested the Chair to return to Special Orders— Unfinished Business, to consider Proposal No. 168, 1973, out of the regular order of business. The Chair granted the request.

*PROPOSAL NO. 168, 1973.* Councilman Egenes, moved, seconded by Councilman SerVaas, to amend Proposal No. 168, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Proposal No. 168, 1973, be amended as follows:

By striking out the words "Public Action in Correctional Effort" in Section 1, line 3; and by striking the words "Public Action in Correctional Effort (P.A.C.E.)" in Section 2, line 4, and inserting in lieu thereof, in both places, the words: "Department of Public Safety."

HAROLD J. EGENES  
Councilman

The motion to *amend* was *carried* by unanimous voice vote. After discussion, Proposal No. 168, 1973, as amended, was *passed* by the following roll call vote; *viz*: 21 *Ayes*: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Noel, Mr. Patterson, Mr. SerVaas, Mr. Tintera, Mr. West. 5 *Noes*: Mr. Dowden, Mr. Giffin, Mr. McPherson, Mrs. Miller, Mr. Schneider. Mr. Bayt, Mr. Gorham and Mr. Ruckelshaus were out of Chamber at the time vote was taken. Proposal No. 168, 1973, as amended, was retitled Fiscal Ordinance No. 36, 1973, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 1973

A FISCAL ORDINANCE amending City-County Fiscal Ordinance No. 65, 1972, changing the sponsoring agency with respect to a certain

appropriation from the Community Services Program Fund and authorizing the Mayor to execute an amendment with the United States of America for the Community Services Program, Year 3.

WHEREAS, the City of Indianapolis has entered into 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 Grand Budget of the Grant Agreement; and

WHEREAS, the City-County Council by City County Fiscal Ordinance No. 65, 1972 approved certain programs and the sponsoring agencies for such programs; and

WHEREAS, the Council is now requested to authorize a substantial change in the undertakings of said program by changing the sponsoring agency for a certain program; now, therefore:

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

Section 1. That City-County Fiscal Ordinance No. 65, 1972 be amended by striking in Section 1, line 11(a) the words **Indiana Department of Corrections** and inserting in lieu thereof, **Department of Public Safety**.

Section 2. The Mayor is hereby authorized to execute amendments to the program to change the designation of the sponsoring agency for the **Ex-Offenders Counseling Services**, sponsored by the **Indiana Department of Corrections** to **Department of Public Safety**.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

**NEW BUSINESS**

Councilman SerVaas moved, seconded by Councilman Boyd, to approve a Committee on Committees' recommendation for the appointment of Beverly J. Kennedy as Assistant City Clerk. Councilman SerVaas moved, seconded by Councilman Giffin to appoint Beverly J. Ken-

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nedy as Assistant City Clerk. The motion was carried by unanimous voice vote.

### ANNOUNCEMENTS

The following meeting dates were announced by the respective chairmen:

County and Townships	Tuesday, June 12, 1973	4:00 p.m.
Public Works	Tuesday, June 12, 1973	3:00 p.m.

### ADJOURNMENT

Upon motion made by Councilman Egenes, seconded by Councilman Byrum, the meeting adjourned at 10:00 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 4th day of June, 1973.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

*Thomas C. Haskin*

ATTEST

President

*Jean J. Wytenbach*

(SEAL)

Clerk of the City-County Council