

REGULAR MEETING

Monday, October 1, 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 7:00 p.m., Monday, October 1, 1973. President Hasbrook in the Chair. Councilman Jack Patterson opened the meeting with prayer, followed by the Pledge of Allegiance.

ROLL CALL

The President instructed the Clerk to take the roll. Twenty-six members being present, he announced a quorum. The roll call was as follows: *Present:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, r. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *Absent:* Mr. Brown, Mr. Byrum and Mr. Ruckelshaus.

APPROVAL OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for September 24, 1973, as distributed. There being no corrections, the Journal for September 24, 1973, stands approved, as distributed.

OFFICIAL COMMUNICATIONS

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

September 25, 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. Wyttendach, the following City-County Ordinances.

GENERAL ORDINANCE NO. 44, 1973, amending Title 8 of the Code of Indianapolis and Marion County, 1970, as amended, and revising nomenclature, altering procedures and changing standards, providing for the certification of contractors and registration of plumbing contractors and fixing penalties and creating remedies for violation of the provisions of Title 8.

GENERAL ORDINANCE NO. 45, 1973, enlarging the boundaries of the Fire and Police Special Service Districts in the City of Indianapolis.

SPECIAL RESOLUTION NO. 27, 1973, In memoriam of the Rev. Ruben H. Lindstrom.

SPECIAL RESOLUTION NO. 28, 1973, Honoring Judge Rufus C. Kuydendall.

SPECIAL RESOLUTION NO. 29, 1973, Approving the proposed Urban Renewal Plan for the areas identified as Project Area Crown Hill Sub Area #1, NDP Area #1 and Project Area Regional Center Sub Area #2B and approving the inclusion of said project areas in a contract (which also includes other project areas) between the Department of Metropolitan Develop-

ment and the United States Department of Housing and Urban Development, including the financial assistance therefor.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

September 26, 1973

Mr. Thomas Hasbrook, President
City-County Council
Room 241
City-County Building
Indianapolis, Indiana 46204

Dear Mr. Hasbrook:

The Indianapolis Marion County Office of Emergency Planning and Civil Defense will hold a review of all of the volunteer and governmental organizations that make up the total concept of Marion County Civil Preparedness Organization. The location will be at the Southern Plaza Shopping Center on October 6, 1973.

I would like to personally invite you and all of the other members of the council to come and assist the review of all of our personnel and equipment. The inspection is scheduled for 1:00 p.m., but I would appreciate it if you could be there at 12:45 p.m.

Will you please advise this Office of Emergency Planning and Civil Defense if you will be able to participate, either by calling 925-9651 or dropping me a note.

I thank you very much for your interest and cooperation with this office in the past and I am looking forward to a bigger and better Civil Defense Organization for Marion County.

Yours very truly,

JOHN E. TRIMBLE, Director
Emergency Planning and
Civil Defense

JET/az

PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

President Hasbrook called for presentation of petitions.

PROPOSAL NO. 407, 1973. Introduced by the following: Councilwoman Miller, Councilmen Dowden, Clark, Gorham and Schneider. Councilman Dowden read the proposal for a Special Resolution concerning public school matters. Councilman Dowden moved, seconded by Councilman Elmore, to amend Proposal No. 407, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 407, 1973, be amended as follows:

1. In Paragraph 2, strike "Federal Judge S. Hugh Dillin has" and insert in lieu thereof "some Federal Courts have."
2. In Paragraph 3, strike "Judge Dillin" and insert in lieu thereof "Federal Courts."
3. Add after Section 1 the following:

"Section 2. The Clerk of the City-County Council is directed to send copies of this resolution to all members of the Indiana delegation of the U. S. Congress."

WILLIAM A. DOWDEN
Councilman

The motion to amend carried by voice vote. Council-

man Griffith moved, seconded by Councilman Kimbell, to allow the Democrat members of the Council to abstain from voting on the motion. The motion carried by voice vote, Councilmen Gorham and West voicing their objections.

Proposal No. 407, 1973, as amended, *passed* on the following roll call vote; *viz*: 17 Ayes: Mr. Clark, Mr. Cottingham, 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. Schneider, Mr. SerVaas and Mr. Tintera. 1 Noe: Mr. West. Proposal No. 407, 1973, was retitled Special Resolution No. 30, 1973, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1973

A PROPOSAL FOR A SPECIAL RESOLUTION concerning public school matters.

WHEREAS, the City-County Council of Indianapolis-Marion County, a legislative body representing all citizens of Marion County, is vitally concerned with the safety, health and welfare of the citizens; and

WHEREAS, Federal Judge S. Hugh Dillin has acted in a manner considered by some legal authorities as unconstitutional and abhorrent to the vast majority of the citizens, creating a climate of great unrest and alarm among the citizens; and

WHEREAS, elected local officials are being overruled by Judge Dillin; now, therefore:

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

Section 1. The City-County Council petitions the Congress of the

United States to act without further delay on pending legislation to remove education from the jurisdiction of the Federal Courts and to prohibit, by constitutional amendment, the assigning of children to schools on the basis of race.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 403, 1973. Introduced by Councilman Gilmer. The Clerk read the proposal entitled: "A proposal for a General Resolution approving the development of park and recreational facilities in the Haughville neighborhood;" and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 404, 1973. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A proposal for 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 Eighty-five Thousand Dollars and No Cents (\$85,000.00) for certain purposes of the Municipal Garage Division, Department of Public Works by reducing the Unappropriated City General Fund;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 405, 1973. Introduced by Councilmen SerVaas and Griffith. The Clerk read the proposal entitled: "A proposal for a Council Resolution declaring its policy with respect to establishment of Public Employee's Retirement Fund benefits for county employees and establishing a procedure for implementation of that policy;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 406, 1973. Introduced by Councilman Elmore. The Clerk read the proposal entitled: "A proposal for 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 and Section 841 (a) PARKING LIMITED TO TWO HOURS BETWEEN 7:00 A.M. AND 6:00 P.M., INCLUSIVE EXCEPT ON SATURDAYS AND SUNDAYS ON CERTAIN DESIGNATED STREETS providing penalties, and fixing a time when the same shall take effect;" and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 398, 1973. Councilman McPherson moved, seconded by Councilman Clark, to consider Proposal No. 383, 1973, under Special Orders—Final Adoption. The motion carried by voice vote.

UNFINISHED BUSINESS

PROPOSAL NO. 384, 1973. After discussion, Proposal No. 384, 1973, *failed* on the following roll call vote; *viz:* 12 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Egenes, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mr. SerVaas, Mr. Tintera and Mr. West. 14 Noes: Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mrs. Miller, Mrs. Noel, Mr. Patterson and Mr. Schneider.

SPECIAL ORDERS—FINAL ADOPTION

PROPOSAL NO. 398, 1973. After discussion, Proposal No. 398, 1973, *passed* on the following roll call vote; *viz:* 26 *Ayes:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *No Noes.* Proposal No. 398, 1973, was retitled Fiscal Ordinance No. 69, 1973, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1973

A PROPOSAL FOR 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 Fifty Thousand dollars (\$50,000.00) for certain purposes of the Municipal Garage Division, Department of Public Works, by reducing certain other appropriations for that division.

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 certain expenses in connection with the Municipal Garage by reducing certain other appropriations for the Municipal Garage Division.

Section 2. The sum of Fifty-Thousand dollars (\$50,000.00) 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:

DEPARTMENT OF PUBLIC WORKS
Municipal Garage Division

2. Services—Contractual	\$ 50,000.00
TOTAL INCREASES	\$ 50,000.00

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

DEPARTMENT OF PUBLIC WORKS
Municipal Garage Division

1. Services—Personal	\$ 50,000.00
TOTAL REDUCTIONS	\$ 50,000.00

Section 5. This Ordinance shall be in full force and effect from and after adoption and approval by the Mayor.

PROPOSAL NO. 342, 1973. After discussion, Proposal No. 342, 1973, passed on the following roll call vote; viz: 26 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. No Noes. Proposal No. 342, 1973, was retitled Council Resolution No. 12, 1973, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 12, 1973

A PROPOSAL FOR A COUNCIL RESOLUTION expressing the con-

sensus of the City-County Council with respect to fringe benefits in terms of employment for employees represented by collective bargaining units.

WHEREAS, certain fringe benefits, working conditions, leave conditions, holidays and vacations for city and county employees are established by a General Ordinance of this Council; and

WHEREAS, certain representatives of collective bargaining units representing employees of the City have petitioned the Council with respect to modifications in certain of those conditions of employment; and

WHEREAS, the Council is desirous of adopting a uniform personnel policy with respect to City employees; now, therefore:

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

Section 1. It is the consensus of the Council that as part of the usual process of negotiating a collective bargaining agreement on wages and conditions of employment between the City of Indianapolis by its appropriate representatives and the representatives of the collective bargaining units of the employees, matters of vacation, holidays, leave, fringe benefits and conditions of employment are all proper matters for collective bargaining.

Section 2. It is further the consensus of the Council that the representatives of the City ought to be authorized to bargain collectively with respect to matters fixed by ordinance as well as wages and other terms of employment, but if the terms of a negotiated collective bargaining settlement are not consistent with existing ordinances, then such settlement shall be subject to Council ratification by changing such personnel practices by amending the conflicting ordinance.

NEW BUSINESS

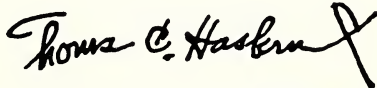
Councilman Gilmer informed the Council he intends to nominate Mr. Oren Eugene Miller to the vacancy on the Park Department Board to be considered at a later date.

ADJOURNMENT

Upon motion made by Councilman Gorham, seconded by Councilman Kimbell, the meeting adjourned at 7:33 p.m.

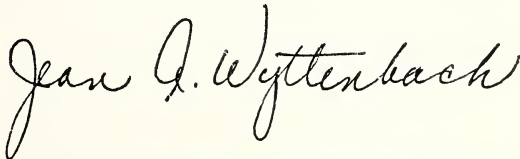
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 1st day of October, 1973.

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



President

ATTEST:



Clerk of the City-County Council

(SEAL)