

REGULAR MEETING

Monday, January 21, 1974, 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 7:12 p.m., Monday, January 21, 1974. President Hasbrook in the Chair. Councilman Dwight Cottingham introduced Reverend Thomas S. Moncrief of the Chapelwood Baptist Church who 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. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, 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 and Mr. West. *Absent:* None.

APPROVAL OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for January 7, 1974, as distributed. There being no corrections, the Journal for January 7, 1974, stands approved as distributed.

OFFICIAL COMMUNICATIONS

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

January 21, 1974

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 January 10, 1974 and January 17, 1974 a "Notice to Taxpayers", of a public hearing on Proposal Nos. 1, 2, 3, 19, 20 and 25, to be held on Monday, January 21, 1974, in the Council Chambers, City-County Building, at 7:00 P.M.

I also caused to be published in the Indianapolis Commercial and the Indianapolis News on January 14, 1974 and January 21, 1974, General Ordinance Nos. 1 and 2, 1974.

Respectfully,

JEAN A. WYTTENBACH
City Clerk

January 21, 1974

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

Ladies and Gentlemen:

I have approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Jean A. Wytttenbach, the following City-County Ordinances.

FISCAL ORDINANCE NO. 1, 1974, amending the City-County Annual Budget for 1974 (City-County Fiscal Ordinance No. 67, 1973) and approving the contracting agency for the Community Services Program in the area of crime and delinquency, specifically legal services for the poor.

GENERAL ORDINANCE NO. 1, 1974, amending the "Municipal

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

GENERAL ORDINANCE NO. 2, 1974, amending the Code of Indianapolis and Marion County, 1970, and specifically Title 7, Chapter 16, as it applies to Schedule of Rates for Taxicabs.

SPECIAL RESOLUTION NO. 1, 1974, in memorium: Phyllis W. Waters.

Respectfully,

Richard G. Lugar
MAYOR

PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

President Hasbrook called for presentation of petitions.

PROPOSAL NO. 39, 1974. Councilman Tintera read Proposal No. 39, 1974, and moved, seconded by Councilman Gorham, to adopt Proposal No. 39, 1974. The motion to adopt was carried by unanimous voice vote. Proposal No. 39, 1974, was retitled Special Resolution No. 2, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 1974

A SPECIAL RESOLUTION in memorium: Robert C. Morris

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

Section 1. The City-County Council on behalf of its members and for the City of Indianapolis and Marion County, reverently acknowledges the sorrow of the entire community upon the death of Robert C. Morris.

Section 2. The City-County Council, saddened by the death of Robert C. Morris, records in memorium his life of service to his community.

Robert C. Morris, 39 years of age, was a graduate of Indiana University. He served his community, state, and nation in a variety of positions of responsibility. He served four years in the United States Navy. He was also a member of the Metropolitan Development Commission of Indianapolis. At the time of his death, he was Executive Director of the Indiana Department of Commerce and Chairman of the Governor's Energy Conservation Committee. Robert C. Morris was a dedicated member of his church, Tabernacle Presbyterian, and had been a deacon and Sunday School Superintendent. He was an active supporter of the Indianapolis Youth Hockey program and had won the love and respect of the youngsters with whom he worked.

Section 3. The City-County Council does hereby posthumously recognize and commend the outstanding contributions of Robert C. Morris to his city, his state, and his community.

Section 4. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

Section 5. the Clerk of the City-County Council is hereby directed to suitably inscribe a copy of this Resolution for delivery to the widow of Robert C. Morris, Mrs. Nancy Morris and her family.

PROPOSAL NO. 40, 1974. Councilman Boyd read Proposal No. 40, 1974, and moved, seconded by Councilman Bayt, to adopt Proposal No. 40, 1974. The motion to adopt was carried by unanimous voice vote. Proposal No. 40, 1974, was retitled Special Resolution No. 6, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1974

A SPECIAL RESOLUTION in memorium: John F. Neff

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

Section 1. The City-County Council does hereby commend the life of John F. Neff and joins the community in mourning his death.

John F. Neff, 36 years of age, was a graduate of Arsenal Technical High School, DePauw University and Indiana University, Indianapolis Law School. He involved himself in the affairs and growth of Indianapolis by serving in the Indiana Legislature as a State

Representative, serving as a member of the Metropolitan Plan Commission, was an Assistant City Attorney and served his party as a Democratic Precinct Committeeman and Ward Chairman. He ran for Mayor of the City of Indianapolis in 1971. John F. Neff was a capable and respected attorney and was a partner in the firm of Lieber, Neff, and Arvin. He was also a member of the Indianapolis, Indiana, and American Bar Associations. John F. Neff was an active member of his church, Tabernacle Presbyterian Church.

Section 2. The City-County Council, on behalf of its members and for the citizens of Indianapolis, recognizes the civic contributions of John F. Neff and extends appreciation for his public service and dedication.

Section 3. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

Section 4. The Clerk of the City-County Council is directed to suitably inscribe a copy of this Resolution for delivery to the widow of John F. Neff, Mrs. Lynn Neff.

PROPOSAL NO. 44, 1974. Councilman Gilmer read Proposal No. 44, 1974, and moved, seconded by Councilman Tintera, to adopt Proposal No. 44, 1974. The motion to adopt was carried by unanimous voice vote. Proposal No. 44, 1974, was retitled Special Resolution No. 3, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1974

A SPECIAL RESOLUTION honoring the Pike High School Basketball team.

WHEREAS, the Pike High School Red Devils clinched the Marion County High School Basketball Tournament championship by defeating Southport High School 67-53 on Saturday, January 19, 1974; and

WHEREAS, in the past two weeks the Red Devils, under Coach Ed Siegel, have changed their win-loss record from 2 and 7 to 8 and 7 and achieved the winning of a trophy for the County championship; and

WHEREAS, the Red Devil's performance exemplifies sportsmanship and the desire to win; 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, on behalf of its members and for the citizens of Marion County, hereby extends a hearty congratulations to Pike High School Basketball Coach Ed Siegel and his Red Devils for their victory in the County Tournament.

Section 2. The City-County Council does hereby honor the Pike High School Red Devils for exemplifying the winning spirit in sport.

Section 3. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

Section 4. The Clerk of the City-County Council is instructed to suitably inscribe a copy of this resolution for delivery to Coach Siegel and the Red Devils.

PROPOSAL NO. 45, 1974. Councilman SerVaas read Proposal No. 45, 1974, and moved, seconded by Councilman Kimbell, to adopt Proposal No. 45, 1974. The motion to adopt was carried by unanimous voice vote. Proposal No. 45, 1974, was retitled Special Resolution No. 4, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1974

A SPECIAL RESOLUTION in memorium: Frank E. McKinney Sr.

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

Section 1. The City-County Council does hereby express its sympathy and the sorrow of the citizens of Indianapolis and Marion County to the family and many friends of Frank E. McKinney Sr.

Section 2. The City-County Council on behalf of the citizens of Indianapolis and Marion County does hereby posthumously commend Frank E. McKinney Sr. for his devotion and loyalty to his city, his state, his country, and above all, to his fellow man.

Frank E. McKinney Sr., 69 years of age was Chairman of the Executive Committee of the American Fletcher Corporation, Honorary Chairman of the Board of the American Fletcher National Bank and a Director of the Bank. Mr. McKinney also held directorships in a number of corporations across the country. He was an Army Colonel during the Second World War. He held two federal posts in his lifetime: Assistant Director of the Office of Contract Settlement and Chairman of the Defense Housing Com-

mission. In addition, Frank E. McKinney Sr. served as the Marion County Treasurer for four years. He was a former treasurer of the County and State Democratic Central Committees, a former Vice-Chairman of the Democratic National Finance Committee, and a former National Chairman of the Democratic Party. He maintained partial ownership and directorship in several professional athletic teams and served on dozens of foundations, clubs, boards, and commissions. He was a member of St. Luke Catholic Church and was named by Pope Pius XII to be a member of the Knights of Malta, one of the highest honors for a Catholic layman.

Section 3. The City-County Council does hereby acknowledge Frank E. McKinney, Sr. as one of the leading citizens in the history of this community and does hereby acknowledge his exemplary life in this memorial record.

Section 4. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

Section 5. The Clerk of the City-County Council is instructed to suitably inscribe a copy of this Resolution for delivery to Mr. McKinney's family.

PROPOSAL NO. 43, 1974. Councilman Kimbell read Proposal No. 43, 1974, and moved, seconded by Councilman Ruckelshaus, to adopt Proposal No. 43, 1974. The motion to adopt was carried by unanimous voice vote. Proposal No. 43, 1974, was retitled Special Resolution No. 5, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1974

A SPECIAL RESOLUTION in memorium: Police Captain W. Robert Greene

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

Section 1. The City-County Council, on behalf of its members and for the City of Indianapolis and Marion County, shares the sadness of the community upon the death of Police Captain W. Robert Greene.

Section 2. The City-County Council does hereby record in memorium his life of service to his community and country.

Police Captain W. Robert Greene, 38 years of age, was the head of the Homicide Branch of the Indianapolis Police Department. In

his over 13 years of service with the Police Department, Captain Greene compiled an outstanding record of service to the citizens of this community. Captain Greene was an Indiana State Police Officer for seven years prior to his service with the Indianapolis Police Department. He was president of the Christ the King Home School Association; a coach, manager, and officer of the White River Little League; and a nine year veteran of the Indiana National Guard. As a tribute to his ability and perseverance, in 1972, under his direction of the Homicide Branch of the Indianapolis Police Department, no murders were unsolved in the City of Indianapolis.

Section 3. The City-County Council does hereby posthumously extend its gratitude to Captain W. Robert Greene for his service to the community and extends its sympathy and the sympathy of the community to his family and friends.

Section 4. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

Section 5. The Clerk of the City-County Council is instructed to suitably inscribe a copy of this Resolution to the widow of Captain Greene, Mrs. Antoinette Greene.

INTRODUCTION OF GUESTS

Councilman Cottingham introduced Mrs. Anna Lang, Republican Vice Ward Chairman and Precinct Committeewoman from Wayne Township.

Councilman West introduced Mr. Robert Henderson of the Indianapolis Center for Advanced Research; Dr. Alexander Jones, President of Butler University; Mrs. Doris Hicks, President of the Butler-Tarkington Neighborhood Association; Mr. Cassius Fenton of Christian Theological Seminary; and his wife, Phyllis, and daughter, Emily.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 31, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A

proposal for a General Ordinance amending Title 7, Chapter 17 of the Code of Indianapolis and Marion County, 1970, transferring authority for approval of sightseeing bus stands from the Controller to the Department of Transportation and increasing the lineal foot charge for such stand from five dollars (\$5.00) per lineal foot to such an amount as the Department of Transportation shall have established for commercial parking zones;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 32, 1974. Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1974 (City-County Fiscal Ordinance No. 67, 1973, as amended) and appropriating the sum of (\$39,108.00) for certain purposes of the Metropolitan Manpower Commission and the sum of (\$44,325) for certain purposes of the Finance Division, Department of Administration by reducing certain other appropriations;" and the President referred it to the Administration Committee.

PROPOSAL NO. 33, 1974. Introduced by Councilman Gilmer. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1974 (City-County Fiscal Ordinance No. 67, 1973, as amended), transferring and appropriating the sum of (\$225,000) 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 4 of the

Community Services Program and appropriating (\$225,000) from the Unappropriated Development Fund for certain purposes of the Urban Renewal Division, Department of Metropolitan Development;" and the President referred it to the Committee.

PROPOSAL NOS. 34-38, 1974. Introduced by Councilman Gilmer. The Clerk read the proposal entitled: "A proposal for rezoning ordinance certified from the Metropolitan Plan Commission on January 18, 1974;" and the President referred them to the Committee of the Whole to be heard under Special Orders-Final Adoption.

PROPOSAL NO. 41, 1974. Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1974 (City-County Fiscal Ordinance No. 67, 1973, as amended) and appropriating the sum of (\$30,000) for certain purposes of the Legal Division, Department of Administration by reducing the unappropriated Consolidated County Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 42, 1974. Introduced by Councilman West. The Clerk read the proposal entitled: "A proposal for a Council Resolution appointing David H. McVey to the Indianapolis Economic Development Commission;" and the President referred it to the Economic Development 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 recessed to the Committee of the Whole at 7:25 p.m. and reconvened at 7:35 p.m.

During the recess, Proposal Nos. 1, 2, 3, 19 and 20, 1974, and Proposal No. 25, 1974, were heard.

PROPOSAL NO. 1, 1974. President Hasbrook stated that Petitioners and Remonstrators on Proposal No. 1, 1974, would each have fifteen minutes to present their case. Mr. William LeMond, attorney for the Petitioners, and representatives from Butler University spoke in favor of the proposal. Mr. LeMond presented slides for emphasis. Attorney James Buck and interested citizens and representatives from the Butler Tarkington Neighborhood Association spoke in opposition to the proposal.

After lengthy discussion, Councilman West moved, seconded by Councilman Griffith, to amend Proposal No. 1, 1974, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 1, 1974, being a proposal for a General Ordinance affecting zoning, certified by the Metropolitan Development Commission as Docket 73-A0-5 be and is hereby amended as follows:

By changing the University Quarter District Zoning Map attached to the proposed ordinance so as to delete from the University Quarter District Two (Butler University) UQ-2 (B) those parts of the real estate on and between 44th Street, Hampton Drive, Blue Ridge Road and Buckingham Drive and 46th Street.

And the Department of Metropolitan Development is directed to prepare a new map corresponding to this amendment and the Clerk of the Council is directed to include such revised map in any copies of the ordinance.

STEPHEN R. WEST
Councilman

The motion to amend carried by the following roll call vote; *viz:* 25 Ayes: Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. Tintera and Mr. West. 3 Noes: Mr. Broderick, Mr. Elmore and Mr. SerVaas. Councilman Hawkins was out of Chambers when vote was taken.

Following additional discussion, Councilman West moved, seconded by Councilman Giffin, to further amend Proposal No. 1, 1974, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 1, 1974, being a proposal for a General Ordinance affecting zoning, certified by the Metropolitan Development Commission as Docket 73-AO-5 be and is hereby amended as follows:

In Paragraph (a) of Section 2, add an additional sub-paragraph to read as follows:

(6) . . be so designed that all buildings for University-Related Group Dwelling Use shall front on or face Sunset Avenue, not the East-West neighborhood streets.

STEPHEN R. WEST
Councilman

The motion to further amend *failed* by the following roll call vote for lack of statutory majority; *viz:* 18 Ayes: Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Cantwell, Mr. Caplinger, Mr. Cottingham, Mr. Dowden, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Hasbrook, Mr. Hawkins,

Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Schneider, Mr. Tintera and Mr. West. *11 Noes:* Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Elmore, Mr. Gorham, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mr. Ruckelshaus and Mr. SerVaas.

Councilman West moved, seconded by Councilman Cantwell, to further amend Proposal No. 1, 1974 as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 1, 1974, being a proposal for a General Ordinance affecting zoning, certified by the Metropolitan Development Commission as Docket 73-AO-5 be and is hereby amended as follows:

In paragraph (b) of Section 2, add an additional sub-paragraph to read as follows:

(4) TRANSITIONAL
YARD

In all instances where University-Related Group Dwelling Use is installed in the UQ-2 (B) District and its East boundary abuts single family residential use, there shall be installed a six (6) foot all-season screening of landscape materials or a six-foot opaque fence or wall.

STEPHEN R. WEST
Councilman

After discussion, Councilman Griffith moved, seconded by Councilman Gorham, to table the motion to further amend. The motion to table carried by voice vote.

Following additional discussion, Proposal No. 1, 1974, as amended, *passed* on the following roll call vote: *viz: 26 Ayes:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden,

Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. Tintera and Mr. West. 3 Noes: Mr. Elmore, Mr. Hawkins and Mr. SerVaas. Proposal No. 1, 1974, was retitled General Ordinance No. 4, 1974, and reads as follows:

73-AO-5 G.O. #4, 1974 —

The Metropolitan Development Commission of Marion County, Indiana, proposes amendment to Marion County Council Ordinance No. 8-1957, as amended, and the UNIVERSITY QUARTER ZONING ORDINANCE OF MARION COUNTY, INDIANA, adopted as an amendment thereto by Ordinance 66-AO-6, by the adoption of Ordinance 73-AO-5, establishing a UNIVERSITY QUARTER ZONING DISTRICT TWO (BUTLER UNIVERSITY); classifying and rezoning to said ZONING DISTRICT classification certain land within Marion County as designated on the UNIVERSITY QUARTER ZONING DISTRICT TWO (BUTLER UNIVERSITY) MAP, which map is a part of said ordinance and incorporated therein by reference); and setting forth permitted uses, regulations, development and performance standards, requirements and procedures applicable thereto.

On motion by Councilman Gorham, seconded by Councilman Tintera, the President declared a five-minute recess, recessing at 9:05 p.m. and reconvening at 9:10 p.m.

PROPOSAL NOS. 2 and 3, 1974. Councilman Cottingham moved, seconded by Councilman Giffin, that Proposal Nos. 2 and 3, 1974, be heard jointly. The motion carried by voice vote.

After discussion during which Henry Dein, attorney for the Petitioners, spoke in favor of the proposal and Mr. Hershel Bell as spokesman for the Remonstrators

opposed it, Councilman Cottingham moved, seconded by Councilman West, that Proposal Nos. 2 and 3, 1974, be rejected. Following further discussion, Proposal Nos. 2 and 3, 1974, were *rejected* on the following roll call vote; *viz: 20 Ayes:* Mr. Brown, Mr. Byrum, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *7 Noes:* Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Elmore, Mr. Hawkins and Mrs. Noel. Councilwoman Gibson and Councilman Bayt were out of Chambers when vote was taken.

PROPOSAL NOS. 19 and 20, 1974. Councilwoman Noel, who had requested that Proposal Nos. 19 and 20, 1974, be held for public hearing withdrew the request. No action was taken on the Proposal Nos. 19 and 20, 1974, and they were retitled Rezoning Ordinance Nos. 23 and 24, 1974, and read as follows:

R.O. #23, 1974—73-Z-326(B)

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10 & 11, INDIANAPOLIS Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2041 City-County Building requests rezoning from D-5 district, to I-2-U classification to permit industrial use, as per map on file.

R.O. #24, 1974—73-Z-326(C)

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10 & 11, INDIANAPOLIS Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2041 City-County Building, requests rezoning from D-5 district, to C-3 classification to permit commercial use, as per map on file.

PROPOSAL NO. 25, 1974. After discussion, Coun-

cilman Cottingham moved, seconded by Councilman Griffith, to amend Proposal No. 25, 1974, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 25, 1974, be amended as follows: (a) In the Title and in lines 1 and 2 of Section 2, strike the words and figures "Eighteen thousand one hundred two dollars (\$18,102.00)" and insert in lieu thereof the words and figures "Sixteen thousand three hundred ninety-three dollars (\$16,393.00)." (b) In Section 3, lines 4 and 5, and in Section 4, lines 4 and 5, strike the figures "\$18,102.00" and insert in lieu thereof the figures "\$16,393.00."

DWIGHT COTTINGHAM
Councilman

The motion to amend carried by voice vote. Proposal No. 25, 1974, as amended *passed* on the following roll call vote; *viz: 20 Ayes: Mr. Brown, Mr. Byrum, Mr. Caplinger, Mr. Cottingham, Mr. Dowden, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. Tintera and Mr. West. 7 Noes: Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Noel and Mrs. Schneider. Councilmen Bayt and Elmore were out of Chambers when vote was taken. Proposal No. 25, 1974, was retitled Fiscal Ordinance No. 2, 1974, and reads as follows:*

CITY-COUNTY FISCAL ORDINANCE NO. 2, 1974

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 (City-County Fiscal Ordinance No. 67, 1973, as amended) and appropriating the sum of Sixteen thousand three hundred ninety-three dollars (\$16,393.00) for certain purposes of the Juvenile Court of Marion County by reducing the Unappropriated County General Fund.

BE IT RESOLVED 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 1974, as amended, is hereby amended by the increases and reductions hereinafter stated to provide additional personnel for the Juvenile Court.

Section 2. The sum of Sixteen thousand three hundred ninety-three dollars (\$16,393.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the Unappropriated County General Fund as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

JUVENILE COURT	COUNTY GENERAL FUND
100 Services Personal	<u>\$16,393.00</u>
TOTAL INCREASES	\$16,393.00

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

	COUNTY GENERAL FUND
Unappropriated County General Fund	<u>\$16,393.00</u>
TOTAL REDUCTIONS	\$16,393.00

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.

SPECIAL ORDERS—FINAL ADOPTION

PROPOSAL NOS. 34-38, 1974. No action was taken on Proposal Nos. 34-38, 1974. Proposal Nos. 34-38, 1974, were retitled Rezoning Ordinance Nos. 18-22, 1974, and read as follows:

R.O. #18, 1974—73-Z-281

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #13,
4902 SOUTH ARLINGTON AVENUE, INDIANAPOLIS

Friendly Homes & Indun Realty Inc. by Raymond Good, Attorney, 5972
Madison Avenue request rezoning of 8.69 acres, being in D-3 district, to

C-3 classification to permit a convenience shopping center, including a branch bank.

R.O. #19, 1974—73-Z-282

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT #13,
4810 SOUTH ARLINGTON AVENUE, INDIANAPOLIS

Friendly Homes & Indun Realty Inc. by Raymond Good, Attorney, 5972 Madison Avenue request rezoning of 11.02 acres, being in D-3 district, to D-6 II classification to provide for a multifamily condominium and/or an apartment complex.

R.O. #20, 1974—73-Z-292

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #4,
5849 EAST 71ST STREET, INDIANAPOLIS

Hawthorne Restaurant, Inc. by John A. Grayson, Attorney, 111 Monument Circle, 10th Floor requests rezoning of 4.64 acres, being in I-2-S district, to C-4 classification to provide for commercial uses.

R.O. #21, 1974—73-Z-319

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT #19,
5701 FURNAS ROAD, INDIANAPOLIS

Jackson's Realty & Builders Co. Inc. by Ethan Jackson, Vice President, by Michael C. Cook, Attorney, 1100 Merchants Bank Building, request rezoning of 228.10 acres, being in A-2 district, to D-3 classification to provide for residential use by platting.

R.O. #22, 1974—73-Z-321

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1,
5705 WEST 86TH STREET, INDIANAPOLIS

Park 100 Development Co., by Charles A. Pechette by James R. Nickels, Attorney, One Indiana Square #2050, request rezoning if 4.83 acres, being in I-2-S district, to C-3 classification to provide for a motel and restaurant.

PROPOSAL NO. 24, 1974. After discussion, Councilman Kimbell moved, seconded by Councilman Tintera, that Proposal No. 24, 1974, be amended as per copy distributed. The motion to amend carried by voice vote and reads as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to strike Proposal No. 24, 1974 as introduced and substitute the COMMITTEE RECOMMENDATION.

ALAN R. KIMBELL
Councilman

Proposal No. 24, 1974, as amended, *passed* on the following roll call vote; *viz: 23 Ayes:* Mr. Brown, Mr. Byrum, Mr. Caplinger, Mr. Clark, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *No Noes.* Councilmen Bayt, Boyd, Broderick, Campbell, Cantwell and Cottingham were out of Chambers when vote was taken. Proposal No. 24, 1974, was retitled General Ordinance No. 3, 1974, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 3, 1974

A GENERAL ORDINANCE amending the Fire Code, Title 5 of the Code of Indianapolis and Marion County, 1970, as amended, modifying certain provisions of said Fire Code and establishing standards for fire hydrants.

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

Section 1. Section 5-1005 of Title 5 of the "Code of Indianapolis and Marion County, 1970" is amended by adding an additional sub-paragraph (3) to read as follows: Notwithstanding the other provisions of this section, the only portable fire extinguisher equipment required for apartment type buildings shall be those set out in the following schedules:

Type 1. Enclosed common entry hall, 2-1/2 story, apartment.

Requirement: Type 1 - 2A 10BC fire extinguisher on 2nd and 3rd floors.

Type 2. Two story, 4 units per entry (2 upstairs, 2 downstairs), patio door on all units.

A. Balcony on rear of second story units - no stairway

Requirement: 2A 10BC fire extinguisher in hall and/or 1A 10BC fire extinguisher in individual units on the floor level required.

B. Balcony on rear, stairway, patio door.

Requirement: One (1) 2A 10BC fire extinguisher per common entry

C. Rear Entry from first floor hall with first floor apartments having patio exits.

Requirements: One (1) 2A 10BC fire extinguisher per common entry

Type 3. One story, outside entrance to all units (motel type) or two stories outside stairway, no rear entrance.

Requirement: None

Type 4. Three stories or less with an outside entrance to each unit, and an enclosed Common Entry Hall or Corridor.

A. No rear entrance, patio door or balcony, 1 stairway

Requirement: One (1) 2A 10BC fire extinguisher per common entry

B. Stack on back of units with outside stairway

Requirement: One (1) 2A 10BC fire extinguisher per common entry

Type 5. Up to three story corridor type unit with two or more ingress or egress points per floor and more than four units per corridor.

Requirement: 2A 10BC fire extinguisher in hall and/or 1A 10BC fire extinguisher in individual units on the floor level required; and/or

A 2A 10BC fire extinguisher is required on each corridor floor, travel distance between extinguishers to be no more than 75 feet, provided there is no other access to individual units other than the corridor.

Type 6. Three or more stories, elevator type, two or more stairways, no standpipes.

Requirement: 2A 10BC fire extinguisher, in hall and/or 1A 10BC fire extinguisher in individual units on the floor level required; and/or

A 2A 10BC fire extinguisher is required on each corridor floor, travel distance between extinguishers to be no more than 75 feet, provided there is no other access to individual units other than the corridor.

Type 7. Three or more stories, elevators, two or more stairways, with standpipes, built-in fire hoses.

Requirement: 2A 10BC fire extinguisher in hall and/or 1A 10BC fire extinguisher in individual units on the floor level required; and/or

A 2A 10BC fire extinguisher is required on each corridor floor, travel distance between extinguishers to be no more than 75 feet, provided there is no other access to individual units other than the corridor.

Type 8. Townhouses

Requirement: None

Type 9. Laundry Rooms

Requirement: A 2A 10BC type ABC Fire Extinguisher shall be placed at the entrance to all laundry rooms. Extinguishers can be placed either inside entrance door or located on outside of entrance door.

Section 2. Section 5-207 of Title 5 of the Code of Indianapolis and Marion County, 1970, be, and is hereby amended by adding an additional clause after clause No. (6) to be numbered (7) and read as follows:

(7) The existence of recognized hazards, practices, and conditions which might cause loss of life or property.

Section 3. Title 5 of the Code of Indianapolis and Marion County, 1970, as amended, be, and is hereby, further amended by adding an additional section to be numbered 5-2627 which shall read as follows:

5-2627. Fire Hydrant Standards.—whenever the provisions of this Code require the installation of a fire hydrant, whether on public or private property, such hydrant shall meet the following specifications: (1) It shall be equipped with five-inch valves; (2) It shall be constructed with two 2-1/2 inch hose nozzles, with national standard threads of 7-1/2 per inch; (3) It shall be equipped with one 4-1/2 inch steamer nozzle with six “V” threads per inch; (4) It shall be constructed to be opened by turning clockwise a national standard pentagon operating nut; (5) The source of water supply shall be buried five feet below the ground level at the hydrant; (6) The hydrant shall be constructed a break-off feature to prevent the hydrant from leaking when damaged by collision.

Section 4. Title 5 of the Code of Indianapolis and Marion County, 1970, as amended, be, and is hereby, further amended by deleting Section 5-257 in its entirety.

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

ANNOUNCEMENTS

Councilman SerVaas discussed the meeting schedule for the City-County Council for the new year and indicated a schedule would be mailed with complete information regarding meeting dates.

Councilman Griffith welcomed Councilman Patterson back from his honeymoon following his recent marriage.

Councilman Elmore extended his gratitude for the installation of new microphones in the Council Chambers.

ADJOURNMENT

Upon motion made by Councilman Gorham, seconded by Councilman Ruckelshaus, the meeting adjourned at 10:30 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 at its Regular Meeting on the 21st day of January, 1974.

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

January 21, 1974]

Indianapolis, Marion Co., Ind.

55

Thomas C. Hasbun

ATTEST:

President

Jean G. Wytenbach

(SEAL)

Clerk of the City-County Council

SPECIAL MEETING

Monday, January 21, 1974, 7:00 P.M.

A Special Meeting of the City-County Council of the City of Indianapolis met in the Council Chambers of the City-County Building at 7:00 p.m., Monday, January 21, 1974. President Hasbrook in the Chair.

The Clerk read the call for the Special Meeting as follows:

TO THE MEMBERS OF THE CITY-COUNTY COUNCIL,
INDIANAPOLIS, INDIANA:

Ladies and Gentlemen:

You are hereby notified that there will be a SPECIAL MEETING of the CITY-COUNTY COUNCIL held in the Council Chambers, City-County Building on Monday, January 21, 1974, at 6:45 P.M., the purpose of such SPECIAL MEETING, being to fill a vacancy on the Council resulting from the resignation of Councilman Harold J. Egenes.

Respectfully,

THOMAS C. HASBROOK
President, City-County Council

I, Jean A. Wyttenbach, Clerk of the City-County Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the City-County Council prior to the time of such SPECIAL MEETING pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the Seal of the City of Indianapolis to be affixed.

JEAN A. WYTTENBACH
City Clerk

(SEAL)

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. Brown, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, 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. Tintera and Mr. West. *Absent:* Mr. Byrum and Mr. SerVaas.

President Hasbrook announced that the only business to be conducted by the Council at the Special Meeting was to fill the vacancy created by the resignation of Mr. Egenes.

January 11, 1974

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

Dear President Hasbrook:

Please consider this my letter of resignation from the City-County Council for Councilmanic District #5.

It has been a pleasure to serve with you and other members of the Council and I am resigning to accept the appointment as Director of Metropolitan Development.

Sincerely yours,

HAROLD J. EGENES

HJE/ch

President Hasbrook called for nominations.

Mr. Schneider nominated Mr. Don K. Caplinger, seconded by Mr. Gorham.

Mr. Broderick nominated Mr. Richard Elliott, seconded by Mr. Bayt.

Mr. McPherson moved, seconded by Mr. Gorham, that the nominations be closed. The motion carried by voice vote.

The President then instructed the Clerk to call the roll on election to the vacated Council seat. The vote was eighteen (18) votes for Caplinger and eight (8) votes for Elliott; *viz: For Mr. Caplinger:* Mr. Brown, Mr. Clark, Mr. Cottingham, Mr. Dowden, 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 and Mr. West. *For Mr. Elliott:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mrs. Gibson, Mr. Hawkins and Mrs. Noel. The President declared Don K. Caplinger as the newly elected Councilman for the Fifth Council District and invited him to take his seat after being sworn in by Clerk of the Council Jean Wytttenbach. Mrs. Wytttenbach administered the oath of office to Mr. Caplinger.

Mr. Gorham moved, seconded by Mr. Ruckelshaus, to adjourn at 7:10 p.m.

We hereby certify that the above and foregoing is a

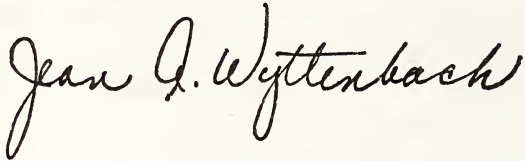
full, true and complete record of the Proceedings of the City-County Council of Indianapolis-Marion County at a Special Meeting held on the 21st day of January, 1974, 7:00 p.m.

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



ATTEST:

President



(SEAL)

Clerk of the City-County Council