

SPECIAL MEETING

Monday, November 23, 1970

A Special Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 6:30 P.M. on Monday, November 23, 1970.

President Hasbrook in the Chair.

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

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

Gentlemen:

You are hereby notified that there will be a SPECIAL MEETING of the City-County Council held in the Council Chamber on Monday, November 23, 1970 at 6:30 P.M., the purpose of such SPECIAL MEETING being to receive Communications from the Mayor and other City-County Officials, introduce new ordinances, hold a public hearing on, and consider for passage all ordinances and resolutions enumerated on the attached agenda, which is hereby incorporated in this notice by reference; also, to conduct any and all other business requiring the attention of the Council at this time.

Respectfully,

THOMAS C. HASBROOK, President
City-County Council

I, Marjorie H. O'Laughlin, Clerk 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.

MARJORIE H. O'LAUGHLIN
City Clerk

(SEAL)

The Clerk called the roll.

Present: Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams and President Hasbrook.

Absent: Mr. Brown.

Mr. McPherson moved, seconded by Mr. Gorham, to dispense with the reading of the Journal of the previous meeting, which was unanimously carried.

President Hasbrook called for the reading of Communications from the Mayor and other City-County Officials.

COMMUNICATIONS FROM THE MAYOR AND OTHER CITY-COUNTY OFFICIALS

November 17, 1970

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

Gentlemen:

I have this day approved with my signature and delivered to the

City Clerk, Mrs. Marjorie H. O'Laughlin, the following City-County Ordinances:

APPROPRIATION ORDINANCE NO. 59, 1970, an ordinance transferring, reappropriating and reallocating the sum of \$9,000.00 from the General Fund to the Office of the Mayor.

APPROPRIATION ORDINANCE NO. 71, 1970, an ordinance transferring, reappropriating and reallocating the sum of \$5,000.00 from the Barrett Law Surplus Fund to certain designated purposes of the Barrett Law and Assessment Bureau, Finance Division, Department of Administration.

Respectfully submitted,

MAYOR RICHARD G. LUGAR

November 23, 1970

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Commercial and the Indianapolis News on November 18, 1970, a Notice of Special Meeting to be held on November 23, 1970, in Room 221 of the City-County Building at 6:30 P.M. to consider passage on the following ordinances:

Appropriation Ordinance Nos. 47, 55, 60, 61, 62, 64, 65, 68, 69, and 70, 1970.

General Ordinance Nos. 84, 183, 256, 259, 264, 265, 1970;

Special Ordinance Nos. 19 and 20, 1970.

Also to conduct any and all other business requiring the attention of the Council at this time.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

November 23, 1970

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of the following ordinances:

APPROPRIATION ORDINANCE NO. 75, 1970, transferring, re-appropriating, and reallocating the sum of \$50,000.00 from expenses of the Municipal Garage Division—Dept. of Public Works, to other designated funds of that Division.

DONALD R. McPHERSON, Councilman

GENERAL ORDINANCE NOS. 286-293, 1970, rezoning ordinances certified from the Metropolitan Development Commission on November 20, 1970.

HAROLD J. EGENES, Councilman

President Hasbrook called for the Introduction of New Ordinances.

INTRODUCTION OF NEW ORDINANCES

CITY-COUNTY APPROPRIATION ORDINANCE NO. 75, 1970

Introduced by Councilman McPherson:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Fifty thousand dollars (\$50,000.00) from certain designated appropriations for the expenses of the Municipal Garage

Division—Department of Public Works, City of Indianapolis, Indiana, to other certain designated funds of that Division, as created by virtue of the Budget for 1970, City-County General Ordinance No. 1, 1969, as amended (City General Ordinance No. 34, 1969, as amended), and declaring an emergency.

WHEREAS, an extraordinary condition exists in that certain appropriations for the Municipal Garage Division of the Department of Public Works are insufficient to pay the necessary costs of operation for the remainder of the year and that an emergency exists for the appropriation of additional funds for such purposes, and

WHEREAS, there are available unencumbered and unexpended funds appropriated for other purposes of said Division which may be transferred without detriment in sufficient amount to meet such emergency needs; NOW, THEREFORE,

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

Section 1. That the sum of Fifty thousand dollars (\$50,000.00) be, and the same is hereby transferred from the appropriations of the Municipal Garage Division of the Department of Public Works shown below under the heading of REDUCE and the same is hereby reappropriated to the same Division for other uses and purposes as shown below under the heading INCREASE as follows, to-wit:

REDUCE:

DEPARTMENT OF PUBLIC WORKS
Municipal Garage Division

| | |
|---------------------|--------------------------|
| | <u>City General Fund</u> |
| 1 Services—Personal | \$ 50,000.00 |
| | <hr/> |
| TOTAL REDUCTIONS | <u>\$50,000.00</u> |

INCREASE:

DEPARTMENT OF PUBLIC WORKS
Municipal Garage Division

| | |
|------------------------|--------------------------|
| | <u>City General Fund</u> |
| 2 Services—Contractual | \$ 10,000.00 |

| | |
|-----------------|---------------------|
| 3. Supplies | 32,000.00 |
| 4 Materials | 8,000.00 |
| | <hr/> |
| TOTAL INCREASES | <u>\$ 50,000.00</u> |

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, publication pursuant to law, and approved by the State Board of Tax Commissioners.

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

CITY-COUNTY GENERAL ORDINANCE NOS. 286 - 293, 1970

Introduced by Councilman Egenes:

G. O. NO. 286, 1970

70-Z-208 Bobby J. & Donald G. Key, 6021 Kentucky Ave. & 6202 South High School Road request rezoning of 1.05 acres, being in A-2 district, to C-3 classification to provide for a Dairy Queen Brazier restaurant. Located on the south side of Kentucky Ave., approx. 300' southwest of Thompson Road in Indianapolis, Decatur Township (5051 Kentucky Avenue).

G. O. No. 287, 1970

70-Z-210 Lowell M. & Arlene M. Sutton, 1735 West Edgewood Ave. request rezoning of 9.70 acres, being in A-2 district, to I-2-S classification to provide for light industrial use. Located on the west side of Harding St., 1025' south of Edgewood Ave. in Indianapolis, Perry Township (6200 block South Harding Street).

G. O. No. 288, 1970

70-Z-223 Alice B. Roth by Dixon B. Dann, 1350 Consolidated Bldg., requests rezoning of 0.72 acre, being in D-4 district, to C-1 classification to provide for a professional office. Located on the west side of College Avenue, 250' north of 64th Street in Indianapolis, Washington Township (6428-38 North College Avenue).

G. O. NO. 289, 1970

70-Z-232 Fourth Avenue Corporation by Pete A. Pappas, Attorney, 120 East Market St., Suite 715, requests rezoning of 17.40 acres, being in D-4 district, to D-7 classification to provide for apartments. Located on the west side of Rural Street, between Hanna and National Avenues in Indianapolis, Perry Township (2600-2700 block Hanna Avenue).

G. O. NO. 290, 1970

70-Z-234 WSJR Corporation by John M. Mutz, Secretary by Gerald L. Moss, Attorney, 600 Circle Tower requests rezoning of 3.59 acres, being in D-3, A-2 & C-3 districts, to C-3 classification to provide for an addition to existing Food Store. Located on the north side of Fall Creek Pkwy., N. Dr., west side of Emerson Way in Indianapolis, Washington Township (5400-5500 block Emerson Way).

G. O. NO. 291, 1970

70-Z-235 Richard A. & Florence G. West, 290 Williams Dr., by Charles T. Gleason, Attorney request rezoning of 1.25 acres, being in A-2 district, to C-4 classification to provide for a gasoline service station. Located on the east side of Lafayette Road, north side of Georgetown Road in Indianapolis, Pike Township (4300 block Lafayette Road).

G. O. NO. 292, 1970

70-Z-236 Richard A. & Florence C. West, 290 Williams Dr. by Charles T. Gleason, Atty. request rezoning of 1.25 acres, being in A-2 district, to C-4 classification to provide for a gasoline service station. Located on the east side of Lafayette Road, south side of Georgetown Road in Indianapolis, Pike Township (4300 block Lafayette Road).

G. O. NO. 293, 1970

70-Z-237 Charles A. Pechette, 1106 Indiana Bldg. requests rezoning of 3.83 acres, being in C-2 & D-4 districts, to C-3 classifica-

tion to provide for the expansion of a convenience shopping center. Located on the southeast corner of 38th St. & High School Road in Indianapolis, Wayne Township (6200 block West 38th Street).

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

ORDINANCES ON SECOND READING

Mr. McPherson called for a third reading of City-County Appropriation Ordinance No. 60, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. McPherson, seconded by Mr. Leak, City-County Appropriation Ordinance No. 60, 1970, passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 3, viz: Mr. Boyd, Mr. Broderick, and Mr. Forestal.

Mr. Forestal stated that he did not believe nine votes could be considered two-thirds of the Council and until an appointment is decided by the court, the record should show that Appropriation Ordinance No. 60, 1970 failed.

Mr. Broderick concurred with Mr. Forestal's statement.

Mr. McPherson called for a third reading of City-County Appropriation Ordinance No. 68, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. McPherson, seconded by Mr. Leak, City-County Appropriation Ordinance No. 68, 1970 passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 3, viz: Mr. Boyd, Mr. Broderick, and Mr. Forestal.

Mr. Leak called for a second reading of City-County Appropriation Ordinance No. 55, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Leak, seconded by Mr. Egenes, City-County Appropriation Ordinance No. 55, 1970 passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Forestal.

2 Abstentions, viz: Mr. Boyd and Mr. Broderick.

Mr. Leak called for a second reading of City-County Appropriation Ordinance No. 69, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Leak, seconded by Mr. Gorham, City-County Appropriation Ordinance No. 69, 1970 passed on the following roll call vote.

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Forestal.

2 Abstentions, viz: Mr. Boyd, and Mr. Broderick.

Mr. McPherson called for a third reading of City-County Appropriation Ordinance No. 70, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. McPherson, seconded by Rev. Williams, City-County Appropriation Ordinance No. 70, 1970, passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Forestal.

2 Abstentions, viz: Mr. Boyd, and Mr. Broderick.

Mr. Byrum called for a second reading of City-County Appropriation Ordinance No. 61, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Egenes, City-County Appropriation Ordinance No. 61, 1970, passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Forestal.

2 Abstentions, viz: Mr. Boyd, and Mr. Broderick.

Mr. Byrum, called for a second reading of City-County General Ordinance No. 259, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Egenes, City-County General Ordinance No. 259, 1970 passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

1 Abstention, viz: Mr. Broderick.

Mr. Byrum called for a second reading of City-County General Ordinance No. 264, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Egenes, City-County General Ordinance No. 264, 1970 passed on on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal Mr. Gorham, Mr. Leak, Mr. McPherson Mr. SerVaas, Rev. Williams, and President Hasbrook.

1 Abstention, viz: Mr. Broderick.

Mr. Byrum called for a second reading of City-County General Ordinance No. 265, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Egenes, City-County General Ordinance No. 265, 1970 passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal Mr. Gorham, Mr. Leak, Mr. McPherson Mr. SerVaas, Rev. Williams, and President Hasbrook.

1 Abstention, viz: Mr. Broderick.

Mr. Cottingham called for a third reading of City-County Appropriation Ordinance No. 62, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. Cottingham, seconded by Mr. Egenes, City-County Appropriation Ordinance No. 62, 1970 passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Forestal.

2 Abstentions, viz: Mr. Boyd, and Mr. Broderick.

Mr. Cottingham called for a third reading of City-County Appropriation Ordinance No. 64, 1970.

The Clerk read the ordinance for the third time.

On motion of Mr. Cottingham, seconded by Mr. Egenes, City-County Appropriation Ordinance No. 64, 1970 passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Forestal.

2 Abstentions, viz: Mr. Boyd, and Mr. Broderick.

Mr. Cottingham called for a third reading of City-County Appropriation Ordinance No. 65, 1970.

The Clerk read the ordinance for the third time.

Mr. Cottingham moved, seconded by Mr. Egenes, for the adoption of City-County Appropriation Ordinance No. 65, 1970.

The ordinance passed on the following roll call vote:

Ayes 10, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 2, viz: Mr. Boyd, and Mr. Broderick.

Mr. Cottingham called for a second reading of City-County Special Ordinance No. 20, 1970.

The Clerk read the ordinance for the second time.

The ordinance passed on the following roll call vote:

Ayes 10, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

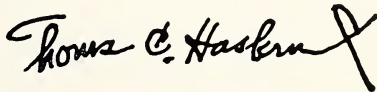
2 Abstentions, viz: Mr. Boyd, and Mr. Broderick.

President Hasbrook announced that there would be a Special Meeting of the Council on November 30, 1970, at 6:30 P.M., in the Council Chambers.

On motion of Mr. Leak, seconded by Mr. Gorham, the Council adjourned 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 held on the 23rd day of November, 1970.

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



President

ATTEST:



City Clerk

(SEAL)