

REGULAR MEETING

Monday, April 21, 1969

The regular meeting of the Common Council of the City of Indianapolis convened in the Auditorium of Broad Ripple High School at 7:30 P.M. on Monday, April 21, 1969.

President Hasbrook in the chair.

The Clerk called the roll.

Present: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. Moriarty, Rev. Williams, and President Hasbrook.

Absent: Mr. McPherson.

Mr. Moriarty moved, seconded by Mr. Gorham, to dispense with the reading of the Journal of the previous meeting. The motion passed by unanimous voice vote.

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

COMMUNICATIONS FROM THE MAYOR AND  
OTHER CITY OFFICIALS

April 8, 1969

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Marjorie H. O'Laughlin, the following City Ordinances:

APPROPRIATION ORDINANCE NO. 1, 1969

AN ORDINANCE transferring, reappropriating and reallocating the sum of \$132,000 from the unappropriated, unencumbered, and unexpended General Fund to the Department of Public Works (Administration), Board of Public Safety (Administration), and the Department of Public Safety (Commissioner of Buildings), declaring an emergency and fixing a time when same shall take effect.

APPROPRIATION ORDINANCE NO. 2, 1969

AN ORDINANCE transferring, reappropriating and reallocating the sum of \$44,000 from the balance of the unexpended, unencumbered and unappropriated City General Fund to the City Legal Department, Current Charges, for the purpose of satisfying a judgment against the City of Indianapolis, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 3, 1969

AN ORDINANCE transferring, reappropriating and reallocating the sum of \$555,720.00 from the balance of the unappropriated, unencumbered, and unexpended Motor Vehicle Highway Fund to the Board of Public Works (Administration), and the Department of Public Works (Street Commissioner), declaring an emergency and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 10, 1969

AN ORDINANCE to amend Title 7, Chapter 17, of the Municipal Code of Indianapolis, 1951, as amended, and particularly Section 7-1724, increasing the limits of Public Liability Insurance to be carried by licensed taxicabs and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 11, 1969, AS AMENDED

AN ORDINANCE to amend Title 7, Chapter 2 of the Municipal Code of Indianapolis, 1951, as amended, and particularly Section 7-202 (2) subsection 6, removing the restriction which precludes the operation of a Bowling Alley between 12 midnight and 5 o'clock A.M., increasing the license to \$10.00 and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 5, 1969, UNDER  
SUSPENSION OF RULES

AN ORDINANCE authorizing the Board of Park Commissioners of the City of Indianapolis to sell a certain tract of real estate belonging to the Board of Park Commissioners of the City of Indianapolis and affixing a time when the same shall take effect.

Respectfully submitted,

RICHARD G. LUGAR  
Mayor

April 21, 1969

To the Honorable President and Members of the Common  
Council of the City of Indianapolis

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 4, 1969, transferring, reappropriating and reallocating the sum of Thirty Thousand Dollars (\$30,000.00) from the unexpended and unappropriated balance in the City General Fund and transferring the same to a certain designated item and fund in the Legal Department, created by virtue of the 1969 Budget, General Ordinance No. 34, 1969, as amended, declaring an emergency and fixing a time when the same shall take effect.

WILLIAM A. LEAK  
Councilman

April 21, 1969

To the Honorable President and Members of the Common  
Council of the City of Indianapolis

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 14, 1969, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 6, Chapter 4, Section 6-401, to authorize deposit of waste in certain refuse sacks, providing a penalty and fixing a time when the same shall take effect.

JOE T. GORHAM  
Councilman

April 21, 1969

To the Honorable President and Members of the Common  
Council of the City of Indianapolis

Gentlemen:

Transmitted herewith are 28 copies of General Ordinance No. 15, 1969, authorizing the City of Indianapolis to make secured Permanent Loans in amounts totaling \$650,000.00 for the use of the General Fund of the City of Indianapolis for the purpose of financing purchase of fully equipped police patrol vehicles and to make agreements granting purchase money security interests; providing for the interest to be charged therefor; empowering the Controller to issue special obligation warrants to evidence such loan at such time and amount and for the duration as needed, secured by purchase money security interests in police patrol vehicles, providing for the legal notice of sale, and the time when said loan shall take effect.

Respectfully,

WILLIAM A. LEAK  
Councilman

April 21, 1969]

City of Indianapolis, Ind.

121

April 21, 1969

To the Honorable President and Members of the Common  
Council of the City of Indianapolis

Gentlemen:

Transmitted herewith are 28 copies of General Ordinance No. 16, 1969, to amend the Municipal Code of Indianapolis, General Ordinance No. 140, 1951, as amended, and particularly Title 4, Chapter 14, Section 4-1408, Subsection (1), to secure the safety of citizens in the running of trains or cars in and through the city by requiring electronic communication between flagmen and control towers, declaring a penalty and fixing a time when the same shall take effect.

Respectfully submitted,

WILLIAM A. LEAK  
Councilman

April 21, 1969

To the Honorable President and Members of the Common  
Council of the City of Indianapolis

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance No. 6, 1969, annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

WILLIAM A. LEAK  
Councilman

April 21, 1969

To the Honorable President and Members of the Common  
Council of the City of Indianapolis

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance

No. 7, 1969, annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

WILLIAM A. LEAK  
Councilman

April 21, 1969

To the Honorable President and Members of the Common  
Council of the City of Indianapolis

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Resolution No. 8, 1969, that the City of Indianapolis go on record as opposing the discontinuance of the railroad passenger service presently being provided to residents of the City by Penn Central Railroad trains numbered respectively 3 and 30.

WILLIAM A. LEAK  
Councilman

On motion of Mr. Gorham, seconded by Mr. Egenes, the Council recessed for Committee Hearings at 7:50 P.M.

During the recess, those present were allowed to be heard on General Ordinances Nos. 12 and 13, 1969.

The Council reconvened at 9:00 P.M.

President Hasbrook called for the reading of Committee Reports by the Clerk.

## COMMITTEE REPORTS

Indianapolis, Ind., April 21, 1969

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Works to whom was referred General Ordinance No. 9, 1969, entitled

AN ORDINANCE to amend Title 7, Chapter 2, of the Municipal Code of Indianapolis, 1951, as amended, and particularly Section 7-202 (2), Subsections 2, 7, and 9, increasing the limits of General Public Liability Insurance required as a condition to securing licenses for amusement riding or moving devices, buses for public hire and use, and Carnivals, Street Fairs, Circuses or Menageries, and fixing a time when the same shall take effect.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further study.

DONALD R. McPHERSON, Chairman

Indianapolis, Ind., April 21, 1969

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Elections to whom was referred General Ordinance No. 12, 1969, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 10, Chapter 3, Section 10-302, by adding a new and additional paragraph (19) to specifically prohibit the playing of radios on public conveyances other than taxicabs and jitneys, and providing a penalty, and fixing a time when the same shall take effect.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

DANIEL P. MORIARTY, Chairman  
WILLIAM A. LEAK  
HAROLD J. EGENES

Indianapolis, Ind., April 21, 1969

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Finance to whom was referred General Ordinance No. 13, 1969, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 14, Section 4-1405, Subsection (1) to limit exception of operators of moving railroad trains on their regular schedules and route, from penalties for blocking streets only to operators of trains consisting of no more than thirty cars and providing penalties, and fixing a time when the same shall take effect.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WILLIAM A. LEAK, Chairman  
HAROLD J. EGENES  
JOE T. GORHAM  
REV. ANDREW L. WILLIAMS

President Hasbrook called for the Introduction of New Ordinances.

## INTRODUCTION OF NEW ORDINANCES

### APPROPRIATION ORDINANCES

#### APPROPRIATION ORDINANCE NO. 4, 1969

Introduced by Councilman Leak:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Thirty Thousand Dollars (\$30,000.00) from the unexpended

and unappropriated balance in the City General Fund and transferring the same to a certain designated item and fund in the Legal Department, created by virtue of the 1969 Budget, General Ordinance No. 34, 1968, as amended, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, there are a number of cases involving the City of Indianapolis which are being venued out of Marion County; and

WHEREAS, there is an increased necessity for the employment of outside legal counsel in specialized fields of the practice of law; and

WHEREAS, insufficient amounts were budgeted and appropriated for employment of outside counsel in the current budget, and there presently exists a need therefor which is estimated at Thirty Thousand Dollars (\$30,000.00); and

WHEREAS, unexpended, unappropriated and unencumbered funds in excess of such amount are now in the General Fund and available for transfer.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That certain funds appropriated to the Legal Department for Services—Personal by General Ordinance No. 34, 1968, as amended, be increased as follows, to-wit:

INCREASE:

LEGAL DEPARTMENT

1. SERVICES—PERSONAL	Tax Levy
13. Other Compensation -----	\$30,000.00

Section 2. Corresponding to the increase in funds of the "Legal Department," by \$30,000.00, the balance in the unexpended, unencumbered and unappropriated General Fund should be, and the same is hereby reduced by \$30,000.00.

Section 3. This Ordinance shall be in full force and effect from

and after its passage, approval by the Mayor, and publication as required by law.

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

## GENERAL ORDINANCES

### GENERAL ORDINANCE NO. 14, 1969

Introduced by Councilman Gorham:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 6, Chapter 4, Section 6-401, to authorize deposit of waste in certain refuse sacks, providing a penalty and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 6, Chapter 4, Section 6-401 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended to read as follows:

“6-401. Duty of occupant — Any occupant of any dwelling, house, building or structure of any kind or description whatever, who shall fail to provide a covered, water-tight receptacle with tight-fitting lid for the receipt of garbage; and a proper can, vessel, or box, with handles on the outside, for the deposit of ashes and other refuse and wastes resulting from the use of such premises; and to deposit all such garbage, or such waste materials in such respective receptacles so provided, or in refuse sacks meeting specifications of the Board of Sanitary Commissioners, and to place the same so they are readily accessible to the city collectors of such garbage, or waste matter, on conviction, shall be fined in any sum not exceeding fifty dollars.”

Section 2. This Ordinance shall be in full force and effect from

and after its passage, approval by the Mayor, compliance with all laws pertaining thereto, and publication as provided by law.

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

GENERAL ORDINANCE NO. 15, 1969

Introduced by Councilman Leak:

AN ORDINANCE authorizing the City of Indianapolis to make secured Permanent Loans in amounts totaling \$650,000.00 for the use of the General Fund of the City of Indianapolis for the purpose of financing purchase of fully equipped police patrol vehicles and to make agreements granting purchase money security interests; providing for the interest to be charged therefor, empowering the Controller to issue special obligation warrants to evidence such loan at such time and amount and for the duration as needed, secured by purchase money security interests in police patrol vehicles, providing for the legal notice of sale, and the time when said loan shall mature; and fixing a time when this Ordinance shall take effect.

WHEREAS, the City of Indianapolis has insufficient police patrol vehicles for maximum utility;

WHEREAS, a greater number of such vehicles would facilitate maintenance, increase availability of police protection;

WHEREAS, the cost of purchasing and equipping sufficient additional vehicles for more efficient assignments is in excess of the amount available for appropriation in the current fiscal year;

WHEREAS, payment for such police patrol vehicles may be made over a period of years if purchase money loans are secured; and

WHEREAS, the City of Indianapolis is authorized to issue securities for permanent loans not to be paid out of the current tax levy.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

Section 1. That the City Controller is hereby authorized and empowered in the year 1969 to negotiate permanent loans for and in behalf of the City of Indianapolis, not to exceed the sum of Six Hundred Fifty Thousand Dollars (\$650,000.00) without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this Ordinance, at a rate of interest not to exceed five (5%) percent per annum, the rate of interest to be fixed by the lowest interest bid for said loans. Said loans shall be used for the purpose of financing purchase of police patrol vehicles and shall be secured by grant of purchase money security interest for the period set out in Section 2 of this Ordinance for repayment of such permanent loans.

The City Controller is authorized to make sale of special obligation warrants for said permanent loans after notice of the sale of special obligation warrants, and purchase money security interests in police patrol vehicles, in a total amount not exceeding Six Hundred Fifty Thousand Dollars (\$650,000.00), shall have been published by the City Controller once each week for two (2) consecutive weeks in two (2) newspapers of general circulation, printed in the English language and published in the City of Indianapolis; said sale is to be not less than fifteen (15) days after the first publication nor less than five (5) days after the second publication of said notice. Said special obligation warrants shall be secured by purchase money security interests in police patrol vehicles and shall be signed by the Mayor of the City of Indianapolis and the City Controller, and attested to by the City Clerk, and the seal of the City of Indianapolis shall be attached thereto. Said special obligation warrants shall be payable at the office of the City Treasurer in the City of Indianapolis, Indiana and, to the payment of one-fifth (1/5) of said special obligation warrants the current revenues and taxes levied in the year 1968, payable in the year 1969, for the General Fund of the City of Indianapolis, are hereby irrevocably appropriated and pledged, as is also the interest charge therefor. The form of such warrant shall be as follows:

No.----- Principal & Interest \$-----

CITY OF INDIANAPOLIS SPECIAL OBLIGATION WARRANTS  
(GENERAL FUND)

On the\_\_\_\_\_day of\_\_\_\_\_, 19\_\_\_\_, the City of Indianapolis in Marion County, Indiana, promises to pay to the bearer at the office of

the Marion County Treasurer, Ex Officio Treasurer of the City of Indianapolis, the sum of-----including interest on the principal amount of this warrant from the date hereof to maturity, secured by purchase money security interests in police patrol vehicles. This warrant may be prepaid prior to maturity at the principal amount hereof plus accrued interest to the date of prepayment.

This Special Obligation Warrant is one of a series of warrants aggregating a sum of \$650,000.00 exclusive of interest added thereto to maturity, evidencing a permanent loan secured by purchase money security interests in police patrol vehicles.

Said Permanent Loan was authorized by an Ordinance duly adopted by the Common Council of the City of Indianapolis, at a meeting thereof duly and legally convened and held on the----day of -----, 19----, for the purpose of providing funds for the General Fund of said City of Indianapolis in compliance with an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and all Acts amendatory thereof and supplemental thereto.

The consideration of said Warrant is a loan made to the City of Indianapolis secured by a purchase money security interest in police patrol vehicles of said City payable in the year 1971.

It is hereby certified and recited that all Acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution, and delivery of said warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, THE CITY OF INDIANAPOLIS, has caused this Warrant to be signed in its corporate name by its Mayor and attested by the Clerk of the City of Indianapolis, the Corporate Seal of said City hereunto affixed, and countersigned by the Controller of the City of Indianapolis.

Dated this-----day of-----, 19-----

CITY OF INDIANAPOLIS

By -----  
Mayor of the City of Indianapolis

Attest:

-----  
 Clerk of the City of Indianapolis

Countersigned

-----  
 Controller of the City of Indianapolis

Section 2. The Lenders shall make available to the General Fund of the City of Indianapolis, the following specific sums on the dates indicated.

June 15, 1969 -----\$650,000.00

The City Controller shall, upon issuing of a Special Obligation Warrant for the amount of cash funds herein specified, be entitled to borrow for said City the amount set out in said warrant, the total of each such warrant and for the combined total of all said warrants for such period not however to exceed the sum of Six Hundred Fifty Thousand Dollars (\$650,000.00). One-fifth (1/5) of each said permanent loan shall be due and payable on or before December 15, 1969, June 15, 1970, December 15, 1970, June 15, 1971, and December 15, 1971, but not beyond December 31, 1971. Said City Controller shall be authorized to fix the loan and maturity dates on each warrant and compute the interest due in accordance with this Ordinance.

Section 3. For the repayment of the principal amount of the permanent loans on the warrants herein authorized by this Ordinance there is hereby appropriated to the City Controller's 1969 Budget No. 63—Payment of Permanent Loans (hereby created), out of the current revenues and taxes levied in the year 1968, payable in the year 1969, for the General Fund of the City of Indianapolis, a sum not in excess of \$130,000 (i.e. one-fifth of the exact amount borrowed under such warrants), and for the payment of interest thereon, there is hereby appropriated to the City Controller's 1969 Budget Fund No. 61—Interest (Permanent Loans), out of the above-designated revenues and taxes, the amount of interest bid by and payable to the successful bidder on such one-fifth (1/5) amount.

Section 4. This Ordinance shall be in full force and effect from

and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

GENERAL ORDINANCE NO. 16, 1969

Introduced by Councilman Leak:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 14, Section 4-1408 Subsection (1) to secure the safety of citizens in the running of trains or cars in and through the city by requiring electronic communication between flagmen and control towers, declaring a penalty and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, Title 4, Chapter 14, Section 4-1408, Subsection (1) be amended to read as follows:

"4-1408. Flagmen's Warning. — (1) All flagmen placed at any grade crossing of railroad tracks and streets shall be provided by the company employing them with a signal flag by day and a lighted lantern by night. In the case of any flagman on duty between the hours of six and nine o'clock A.M. or between the hours of three and six o'clock P.M. he shall also be provided by the company with electronic communication devices in contact with the nearest control tower. Flagmen shall give to all persons approaching or about to cross the railroad tracks at such street crossing, a reasonable notice by signal with such flag by day or a lantern by night, either to cross such tracks or to stop and not to cross such tracks, according to whether there is or is not danger from trains, engines, or cars approaching or operating upon said tracks."

Section 2. This amendment shall be subject to penalties as pro-

vided in Title 4, Chapter 14, Section 4-1422 of the Municipal Code of Indianapolis, 1951, as amended.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, compliance with all laws pertaining thereto, and publication as provided by law.

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

## SPECIAL ORDINANCES

### SPECIAL ORDINANCE NO. 6, 1969

Introduced by Councilman Leak:

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the City of Indianapolis, Indiana, be, and the same hereby is extended so as to include the following described territory which is hereby annexed to and made part of the territory constituting the City of Indianapolis, Indiana, said territory being a part of the Southeast Quarter of Section 18, Township 16 North, Range 3 East of the Second Principal Meridian, Marion County, State of Indiana, being more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of Section 18-16-3, running thence North 89 degrees, 56' 29" West along the South line thereof a distance of 219.600 feet, running thence North 00 degrees, 06' 17" West a distance of 69.830 feet to the point of beginning, said point being on the North right-of-way line of 38th Street as described in Marion County Condemnation Cause No. C61-880, running thence South 89 degrees, 53' 43" West along said right-of-way line a distance of 200.000 feet, running thence North 89 degrees, 08' 59" West along said right-of-way line a distance of 100.00 feet,

running thence North 00 degrees, 51' 01" East a distance of 185.610 feet, running thence North 52 degrees, 20' 05" East, a distance of 299.983 feet to a point on the Westerly right-of-way line of Lafayette Road, running thence South 37 degrees, 39' 55" East along said right-of-way line a distance of 449.070 feet to a point on the aforementioned North right-of-way line of 38th Street; running thence South 45 degrees, 58' 05" West along said right-of-way line a distance of 20.380 feet, running thence South 89 degrees, 53' 43" West along said right-of-way line a distance of 200.000 feet to the point of beginning.

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication according to law.

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

SPECIAL ORDINANCE NO. 7, 1969

Introduced by Councilman Leak:

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the City of Indianapolis, Indiana, be, and the same hereby is extended so as to include the following described territory which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, said territory being a part of the Southeast Quarter of Section 18, a part of the Southwest Quarter of Section 17, and a part of the Northwest Quarter of Section 20, all in Township 16 North, Range 3 East of the Second Principal Meridian, Marion County, State of Indiana, being more particularly described as follows:

Beginning at a point where the North line of the Southwest Quarter of Section 17-16-3 intersects the West right-of-way line of the Cleveland, Cincinnati, Chicago, and St. Louis R.R.;

running thence South along said R.R. right-of-way line a distance of 2670 feet more or less to a point on the North line of the Northwest Quarter of Section 20-16-3; continuing South along said R.R. right-of-way a distance of 3550 feet more or less to a point on the Westerly right-of-way line of Lafayette Road, said point being 116 feet measured at right angles to the centerline of Lafayette Road; running thence parallel to centerline of Lafayette Road a distance of 298 feet more or less, continuing along said right-of-way a distance of 410 feet more or less to a point 50 feet measured at right angles to the centerline of Lafayette Road; continuing along said right-of-way a distance of 3580 feet more or less to the South line of the Southwest Quarter of Section 17-16-3, thence continuing along said right-of-way line a distance of 3330 feet more or less to a point, said point being the intersection of the Westerly right-of-way line of Lafayette Road with the North line of the Southeast Quarter Section 18-16-3, running thence East along said North line a distance of 2000 feet more or less to the Northwest corner of the Southwest Quarter Section 17-16-3, running thence East along the North line of said Quarter Section a distance of 2500 feet more or less to a point on the West right-of-way line of the Cleveland, Cincinnati, Chicago, and St. Louis R.R., said point being the point or place of beginning.

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication according to law.

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

## SPECIAL RESOLUTIONS

### SPECIAL RESOLUTION NO. 8, 1969

Introduced by Councilman Leak:

WHEREAS, the Penn Central Railroad has petitioned the Interstate Commerce Commission (hereinafter referred to as I.C.C), for au-

thority to discontinue service on passenger trains No. 3 and 30, running between the cities of St. Louis, Missouri and New York, New York, and

WHEREAS, such passenger trains do provide service for the citizenry of the greater Indianapolis Metropolitan area, and

WHEREAS, it is the sense of the Common Council of the City of Indianapolis that the discontinuance of such service would be detrimental to the growth and development of the municipal city and to its citizenry generally, and

WHEREAS, such Common Council is of the opinion that the City's view in opposition to such discontinuance should be presented to said I.C.C. at a hearing to be held on said petition commencing at 9:30 o'clock A.M., on April 22, 1969, in Room 903 of the State Office Building, 100 North Senate Avenue, Indianapolis, Indiana, and

WHEREAS, in order for a representative of the City to be heard in connection with such petition it is necessary that the Common Council adopt a Special Resolution authorizing an individual to appear for and in behalf of the City at such hearing

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA, AS FOLLOWS:

1. That the City of Indianapolis go on record as opposing the discontinuance of the railroad passenger service presently being provided to residents of the City of Indianapolis by Penn Central Railroad trains numbered respectively 3 and 30; and that Paul F. Kortepeter, Assistant City Attorney, be and he is hereby designated as a representative of the City of Indianapolis to appear at the aforesaid hearing to be held on said petition for discontinuance and then and there to testify in behalf of the City of Indianapolis against the discontinuance of such passenger train service.

FURTHER RESOLVED, that the City Clerk be and she is hereby authorized and directed to duly certify to the I.C.C. the fact of the adoption of the foregoing resolution and of the designation of the City's agent to act for and in its behalf at such hearing.

This Resolution shall be in full force and effect from and after its adoption and approval by the Mayor of the City of Indianapolis.

Which was read for the first time and referred to the Committee of the Whole.

#### ORDINANCES ON SECOND READING

Mr. Moriarty called for a second reading of General Ordinance No. 12, 1969.

The Clerk read the Ordinance for the second time.

Mr. Gorham moved, seconded by Mr. Leak, to amend General Ordinance No. 12, 1969, as follows:

Indianapolis, Ind., April 21, 1969

Mr. President:

I move that General Ordinance No. 12, 1969 be amended by inserting the following: the word "audible" between the words "The" and "using" in line 1 of paragraph (19) and at the end of said paragraph the words "provided, that it shall not be unlawful to listen to any such device by means of earplugs inserted in the hearers ear and inaudible to any other person."

The motion to amend the Ordinance passed by unanimous voice vote.

On motion of Mr. Moriarty, seconded by Mr. Gorham, General Ordinance No. 12, 1969, as amended, was ordered engrossed, read a third time and placed upon its passage.

After third reading the Ordinance passed on the following roll call vote:

Ayes 6, viz: Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. Moriarty, and Rev. Williams.

Noes 2, viz: Mr. Broderick and President Hasbrook.

Mr. Leak called for a second reading of General Ordinance No. 13, 1969.

The Clerk read the Ordinance for the second time.

On motion of Mr. Leak, seconded by Mr. Gorham, General Ordinance No. 13, 1969, was ordered engrossed, read a third time and placed upon its passage.

After third reading the Ordinance passed on the following roll call vote:

Ayes 5, viz: Mr. Egenes, Mr. Gorham, Mr. Leak, Rev. Williams, and President Hasbrook.

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

#### OLD BUSINESS

Mr. Moriarty moved, seconded by Mr. Broderick, to consider General Ordinance No. 1, 1969, which had been tabled at a previous meeting.

The motion failed to pass for want of a majority, and so remains tabled. The roll call vote on the motion was as follows:

Ayes 4, viz: Mr. Broderick, Mr. Gorham, Mr. Moriarty, and Rev. Williams.

Noes 4, viz: Mr. Egenes, Mr. Forestal, Mr. Leak, and Mr. Hasbrook.

Mr. Egenes explained the costs of tow-in charges from information received from the Board of Public Safety, presented to the Council at the April 7, 1969 meeting by Mr. Moriarty.

#### NEW BUSINESS

Mr. Leak read Special Resolution No. 8, 1969.

Mr. Leak moved, seconded by Mr. Egenes, to adopt Special Resolution No. 8, 1969.

The motion passed on the following roll call vote:

Ayes 7, viz: Mr. Broderick, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Moriarty.

President Hasbrook asked that names be submitted for the Model Cities Board.

Mr. Egenes moved, seconded by Mr. Gorham, that Mr. Norman Bland be appointed to the Board.

Mr. Egenes moved, seconded by Mr. Gorham, that

Mr. Donald McPherson be appointed to the Board.

Rev. Williams moved, seconded by Mr. Forestal, that Rev. Williams Dennis, be appointed to the Board.

The motions passed by unanimous voice vote.

President Hasbrook announced that there would be a Regular Meeting of the Council on Monday, May 5, 1969, at 7:30 P.M. in the Council Chambers of the City County Building.

On motion of Rev. Williams, seconded by Mr. Gorham, the Council adjourned at 10:10 P.M.

We hereby certify that the above and foregoing is a full, true, and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 21st day of April, 1969.

In witness whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



President

ATTEST:



(SEAL)

City Clerk