

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, January 23, 1978**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:20 p.m., Monday, January 23, 1978, President SerVaas in the Chair. Councilman Rozelle Boyd opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

The Chair instructed the Clerk to take the roll. Twenty-eight members being present, he announced a quorum.

PRESENT: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

ABSENT: Mr. Patterson.

OFFICIAL COMMUNICATIONS

The Chair called for reading of Official Communications. The Clerk read the following:

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

Ladies and Gentlemen:

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council chambers on Monday, January 23, 1978, at 7:00 p.m., the purpose of such **MEETING** being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

**s/Beurt SerVaas, President
City-County Council**

January 10, 1978

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Commercial and the Indianapolis News on January 12, 1978 and January 19, 1978, a *Notice to Taxpayers* on Proposal Nos. 17, 22, 33 and 34, 1978, for a Public Hearing to be held on Monday, January 23, 1978, at 7:00 p.m., in the City-County Building and a *Notice of Public Hearing* on Zoning for Proposal No.28, 1978, for a Public Hearing to be held on Monday, January 23, 1978, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

January 12, 1978

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

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances:

FISCAL ORDINANCE NO. 1, 1978, amending the City-County Annual Budget for 1978 to increase the salaries of the County Sheriff.

SPECIAL ORDINANCE NO. 1, 1978, authorizing the City of Indianapolis to issue its "1977 First Mortgage Economic Development Revenue Note" in the principal amount of one million eight hundred thousand dollars (\$1,800,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 2, 1978, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1977" in the principal amount of one million two hundred thousand dollars (\$1,200,000) and approving and authorizing other actions in respect thereto.

GENERAL ORDINANCE NO. 1, 1978, changing an intersection control at a certain intersection.

GENERAL ORDINANCE NO. 2, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 3, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 4, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 5, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 6, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 7, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 8, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 9, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 10, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 11, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 12, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 13, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 14, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 15, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 16, 1978, permitting parking on a certain portion of Columbia Avenue.

GENERAL ORDINANCE NO. 17, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 18, 1978, changing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 19, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 20, 1978, establishing intersection controls at certain intersections, altering the prima facie speed limit on a certain section, and prohibiting parking at all times on a certain portion of Holt Road.

GENERAL ORDINANCE NO. 21, 1978, establishing a school zone on a certain portion of Boulevard Place.

GENERAL ORDINANCE NO. 22, 1978, altering the prima facie speed limit on a certain portion of Southeastern Avenue.

GENERAL ORDINANCE NO. 23, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 24, 1978, changing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 25, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 26, 1978, altering the prima facie speed limit on certain portions of Bluff Road.

GENERAL ORDINANCE NO. 27, 1978, changing the prohibition of stopping, standing, and parking on certain days and hours on certain portions of Massachusetts Avenue.

GENERAL ORDINANCE NO. 28, 1978, establishing a certain portion of Tecumseh Street as one-way.

GENERAL ORDINANCE NO. 29, 1978, establishing a certain portion of Chester Street as one-way.

GENERAL ORDINANCE NO. 30, 1978, establishing a weight limit on a certain street.

GENERAL ORDINANCE NO. 31, 1978, amending City-County General Ordinance No. 61, 1977, authorizing an additional clerk for the Pike Township Small Claims Court.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

January 18, 1978

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis **COMMERCIAL** on January 11, 1978 and January 18, 1978, and in the Indianapolis **NEWS** on January 11, 1978, and January 20, 1978, a publication of General Ordinance No. 133, 1977, with corrected publications in the Indianapolis **NEWS** on January 13, 1978 and January 17, 1978.

Respectfully,

s/Beverly S. Rippy
City Clerk

PRESENTATIONS OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 56, 1978. Councilman Rippel introduced and read this proposal calling for the inspection of the roofs of Market Square Arena and the Indianapolis Civic Center. Following discussion, it was adopted by unanimous voice vote and retitled **SPECIAL RESOLUTION NO. 1, 1978**, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 1, 1978

A SPECIAL RESOLUTION requiring the inspection of the dome of the Market Square Arena and the roof of the Indianapolis Civic Center.

WHEREAS, Indianapolis is beginning to see better than average snowfall this winter and has had two major storms to date; and

WHEREAS, many citizens from around the entire state as well as Indianapolis attend both the Indianapolis Civic Center and Market Square Arena; and

WHEREAS, the near disastrous collapse of the Hartford Civic Center brings forth concern for the safety of our citizens; now, therefore:

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

SECTION 1. The City Administration, in a cooperative effort with other governmental agencies, and qualified officials, review the structural soundness of both Market Square Arena and the Indianapolis Civic Center.

SECTION 2. The uncontrollable elements in such a disaster are numerous and appear without warning and an emergency does exist. The Administration is requested to take immediate action.

PROPOSAL NO. 55, 1978. Councilman Clark introduced and read this proposal reaffirming the Council's authority to regulate salaries and the Board of Managers' responsibility to govern the Marion County Home, and setting aside the actions of the County Commissioners which interfere. Mr. Howard moved, seconded by Mrs. Journey, to send the proposal to the proper committee. The motion failed on the following roll call vote; viz:

10 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer, and Mr. Walters.

18 NOES: Mr. Anderson, Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. West and Mr. Miller.

Mr. Cantwell requested that County Commissioner Frank Corsaro address the resolution. Consent was denied. Following lengthy discussion, Proposal No. 55, 1978, was adopted on the following roll call vote; viz:

18 AYES: Mr. Anderson, Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.

9 NOES: Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters.

1 NOT VOTING: Mr. Boyd. (Abstention by consent of the Council).

Proposal No. 55, 1978, was retitled SPECIAL RESOLUTION NO. 2, 1978, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 2, 1978

A SPECIAL RESOLUTION in support of the authority of the Marion County Home Board to determine management and personnel policies and decisions regarding employees of the Marion County Home.

WHEREAS, the Marion County Home Board is charged by statute with adoption of all policies, rules and regulations for the government of the Marion County Home; and

WHEREAS, the superintendent of the Marion County Home by statute serves as long as his or her service is satisfactory and may be removed only for cause, on charges of inefficiency or other proper charge and then only after a hearing before the County Home Board; and

WHEREAS, certain ex-officio County Commissioners have attempted to unlawfully remove the Marion County Home Superintendent and have purported to adopt policies in conflict with the lawful authority of the Marion County Home Board, in excess of the jurisdiction of either the Commissioners individually or as the Board of Commissioners, all in a manner purporting to usurp the jurisdictions and lawful authorities of the Marion County Home Board and the City-County Council contrary to law; now, therefore:

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

SECTION 1. The Council fully supports the Marion County Home Board in the exercise of its lawful authority and prerogatives in the selection, or termination as the case may be, of the County Home Superintendent pursuant to IC 12-4-3-9.

SECTION 2. The Council condemns the unlawful actions of certain ex-officio County Commissioners in attempting to appoint a County Home Superintendent whose lack of qualified licensure jeopardizes the continued status of the County Home as a licensed Nursing Home and qualified Medicare/Medicaid facility.

SECTION 3. The Council affirms its lawful authority pursuant to IC 17-1-24 to establish salary and compensation rates and limitations for employees of the Marion County Home and urges and supports any and all proper action by the County Home Board to void and set aside any actions taken by the ex-officio County Commissioners which interfere with the County Home Board's or this Council's lawful control of salaries and working conditions of County Home employees.

Mr. Vollmer requested that a committee be formed to investigate the Marion County Home. The Chair stated that a formal motion must be presented in writing before such action may be taken.

PROPOSAL NO. 35, 1978. Mr. West stated that Joe Barton and Dwight Schuster had been approved by the Public Safety & Criminal Justice Committee to serve on the Public Safety Board. He then introduced Mr. Barton who was in the audience. The proposal was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 2, 1978, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 2, 1978

A COUNCIL RESOLUTION confirming Public Safety Board appointments effective January 23, 1978.

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

SECTION 1. As members of the Marion County Public Safety Board, the Council appoints:

Joe Barton
Dwight Schuster

SECTION 2. The foregoing appointments shall each be for terms of one (1) year beginning January 1, 1978, at the pleasure of the Council, and until their respective successors are appointed.

[Clerk's Note: At this time Mr. SerVaas announced the election of Mr. Glenn Howard as minority leader].

INTRODUCTION OF GUESTS

Mrs. Chambers introduced Rev. Mosel Sanders and Miss Linda Jupert from OIC, Mrs. Doris Parker, Urban League; and Mr. and Mrs. Wendell Johns and their son Richard. Mr. Rufus Brooks and Miss Linda Journey were recognized by Mr. Bayt. Mr. Pearce introduced State Senator Julia Carson, Representative William Crawford and Phyllis Clark. Mr. Hawkins introduced Skip O'Connor. The Student Council from Guion Creek Middle School and their sponsors Mr. Gaylan and Mr. Birch were recognized by Mr. Gilmer. The Chief Supervisor from the Center Township Trustee's Office, Burnetta Tanner and Charlotte Goode were introduced by Mrs. Journey. Mr. Howard recognized Mr. and Mrs. Avis Bell. Mr. Dowden introduced his friend Mr. George Kerr. Beech Grove Councilman Ralph Fox was introduced by Mrs. Coughenour.

At this time President SerVaas announced to all citizens who had come to see the confirmation of Mr. Joseph Slash as deputy mayor that the council resolution would be assigned to the Rules and Public Policy Committee for a public hearing on Tuesday, February 7, at 5:00 p.m.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 37, 1978. Introduced by Mr. McPherson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance regulating the use of City sewers the installation and connection of building sewers, and the discharge of waters and wastes into the City sewer; and providing penalties for violations thereof;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 38, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing a certain portion of St. Paul Street as one-way [Amends Code Section 29-166];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 39, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance restoring parking on a certain portion of English Avenue [Amends Code Section 29-267];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 40, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at certain intersections [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 41, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at certain intersections, prohibiting left and right turns at enumerated locations, designating certain sections of Illinois St. and Capitol Av. as one-way, prohibiting parking on certain portions of certain streets, allowing parking on streets which formerly had restricted parking, and designating parking meter zones on certain streets [Amends Code Sections 29-92, 29-152, 29-156, 29-166, 29-267, 29-268, 29-272, and 29-283] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 42, 1978. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving the action of the Board of Public Works with respect to the incorporation of certain additional territory into the Indianapolis Sanitary District;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 43, 1978. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving the action of the Board of Public Works with respect to the incorporation of certain additional territory into the Indianapolis Sanitary District;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 44, 1978. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional two million three hundred fifty-nine thousand seven hundred ninety-five dollars (\$2,359,695) in the Manpower Federal Programs Fund for purposes of Employment and Training Division, Department of Administration and reducing the unappropriated and unencumbered balance in the Manpower Federal Programs Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 45, 1978. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Rules of the Council and the Code of Indianapolis and Marion County to require and enforce regular accounting reports to the Council;" and the President referred it to the Rules & Public Policy Committee.

PROPOSAL NO. 46, 1978. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 61, 1977, to increase the salaries and number of personnel authorized for Decatur Township;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 47, 1978. Introduced by Mr. West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional fifty-one thousand three hundred ninety-two dollars and seventeen cents (\$51,392.17) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 48, 1978. Introduced by Mr. West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional one hundred eighty-five thousand eight hundred twenty-eight dollars and eighty-seven cents (\$185,828.87) in the Crime Control Fund for purposes of the Prosecutor and reducing the unappropriated and unencumbered balance in the Crime Control Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 49, 1978. Introduced by Mr. Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional three hundred twenty-three thousand four hundred eighty-one dollars (\$323,481) in the County General Fund for purposes of Central Data Processing and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 50, 1978. Introduced by Mr. Bayt. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance authorizing an appropriation and the issuance and sale of bonds of Marion County on account of providing funds necessary to be applied on the cost of a new building addition and improvements to the buildings and grounds and physical plant of the Marion County Home, together with the incidental expenses to be incurred in connection therewith and on account of the issuance of bonds therefore;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 51, 1978. Introduced by Councilman Clark. The Clerk read the proposal entitled: "A Proposal for a Council Resolution approving the appointment of a person by the Mayor to fulfill the office of Deputy Mayor for the period from February 6, 1978 through December 31, 1978;" and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NOS. 52-54, 1978: Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for rezoning ordinances certified from the Metropolitan Plan Commission on January 19, 1978;" and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

MODIFICATIONS OF SPECIAL ORDERS

Mr. McPherson requested consent to permit Proposal No. 57, 1978, to be introduced in improper form. Consent was given. Proposal No. 57, 1978, is a proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional seven hundred fifty thousand dollars (\$750,000) in the Sanitation Construction Fund for purposes of the Department of Public Works, Liquid Waste Division, and reducing the unappropriated and unencumbered balance in the Sanitation Construction Fund;" and the President referred it to the Public Works Committee.

SPECIAL ORDERS – PUBLIC HEARING

[Clerk's Note: The Chair called a two minute recess at 8:06 p.m. and the Council reconvened at 8:16 p.m.]

PROPOSAL NO. 28, 1978. Councilman SerVaas presented a two minute description of the circumstances surrounding this rezoning hearing in accordance with Council Rules. The remonstrators, Driftwood Hills Community Association, were not in attendance when this rezoning case was brought before the Metropolitan Plan Commission. An error in recording the correct date had been made. They therefore felt it should be reheard by the Commission. The petitioners disagree. He also informed the Council that the remonstrators' attorney would not be in attendance due to a serious illness of a family member.

Mr. William Cramer began the petitioners' 20 minute presentation. He represented the Calvin W. Prather Lodge which wished to build a new masonic temple at 8707 Haverstick Road. Mr. Cramer distributed a site plan and a resolution by Union Chapel United Methodist Church in favor of the new lodge. Mr. David King,

secretary of the lodge, spoke next stating that the group has been meeting at another lodge and the average attendance at any of the functions is 15-30 people. Mr. Kenneth Carr, Architect, gave a presentation on drainage which would be sufficient. Finally, Mr. Mike Vulture, Realtor and Appraiser, stated the construction of the masonic temple would not devalue the property.

Mr. Michael Fox, Land Use Chairman, Nora Community Council, addressed the Council for the remonstrators. Mr. George Harley assisted. Mr. Fox stated that he represented the remonstrators on the principal that a proper hearing was not held. He believed it was not consistent land-use planning.

The Council recessed at 9:00 p.m. for public hearing and reconvened at 9:01 p.m. Following public hearing, Council members asked questions. Mrs. Brinkman's motion to return the zoning to the Metropolitan Plan Commission was not adopted because two-thirds of the Commission must vote for the suspension of the rules. After discussion, the petitioner and the remonstrator gave a brief statement encouraging the Council to vote for their stance.

President SerVaas explained that two-thirds or 20 votes were needed to reverse the decision of the Metropolitan Plan Commission. The Commission was upheld on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

6 NOES: Mrs. Brinkman, Mr. Durnil, Mr. Gilmer, Mr. McPherson, Mr. SerVaas, and Mr. Tintera.

Proposal No. 28, 1978, was retitled REZONING ORDINANCE NO. 24, 1978, and reads as follows:

**REZONING ORDINANCE NO. 24, 1978 77-Z-196 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 2
8707 HAVERSTICK ROAD, INDIANAPOLIS**
Elmer W. Arnold by Kenneth R. Carr and Marion L. Conrad, Attorney, request rezoning of 3.28 acres, being in A-2 district, to SU-34 classification to permit the construction to permit commercial use.

PROPOSAL NO. 17, 1978. Mr. West presented the Public Safety & Criminal Justice Committee report stating the funds appropriated in this proposal had already been spent to send a court administrator to a conference on court administration. The Council recessed to a Committee of the Whole at 9:33 p.m. for public hearing and reconvened at 9:34 p.m. Following public hearing and discussion during which Mr. Tintera spoke against the passage of this proposal, Proposal No. 17, 1978, was adopted on the following roll call vote; viz:

16 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Pearce, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

10 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. SerVaas, and Mr. Tinder.

2 NOT VOTING: Mr. Dowden and Mr. McGrath.

Proposal No. 17, 1978, was retitled FISCAL ORDINANCE NO. 6, 1978, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 1978

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional seven hundred eighty dollars (\$780) in the Crime Control Fund for purposes of the Criminal Court and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 8 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of specialists courses in Court Administration financed by L.E.A.A. Grant No. 76C-G04-15-088.

SECTION 2. The sum of seven hundred eighty dollars (\$780) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances and shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CRIMINAL COURT IV	CRIME CONTROL FUND
33. Travel	\$ 430
35. Operating Expenses	350
TOTAL INCREASES	<u>\$ 780</u>

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

Unappropriated and Unencumbered	CRIME CONTROL FUND
Crime Control Fund	\$ 780
TOTAL REDUCTIONS	<u>\$ 780</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 22, 1978. Councilman West presented the Public Safety and Criminal Justice Committee report endorsing the passage of this proposal. The Council recessed to a Committee of the Whole at 9:39 p.m. for public hearing during which Mr. Don Christenson spoke encouraging the Council to remain within the boundaries of the budget. The Council reconvened at 9:40 p.m. Following discussion, the proposal was adopted on the following roll call vote; viz:

19 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

3 NOES: Mr. Anderson, Mr. Rippel and Mr. Schneider.

6 NOT VOTING: Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. McPherson, Mr. Miller, and Mr. Kimbell.

Proposal No. 22, 1978, was retitled FISCAL ORDINANCE NO. 4, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 4, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional ninety-eight thousand five hundred thirty-eight dollars and twenty cents (\$98,538.20) in the Marion County Crime Control Fund for purposes of Juvenile Court and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of defraying expenses relating to these programs in these total amounts detailed by character in section 3 of this ordinance:

G-13 Legal Intern Program	\$ 32,432.20
G-4 Fifth Conference on Juvenile Justice	1,106.00
E-5 Closed Circuit TV System for Center	<u>65,000.00</u>
TOTAL	\$ 98,538.20

SECTION 2. The sum of ninety-eight thousand five hundred thirty-eight dollars and twenty cents (\$98,538.20) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

JUVENILE COURT AND CENTER	CRIME CONTROL FUND
31. Personal Services	\$ 30,247.20
32. Contractual Services	2,185.00
33. Travel	746.00
34. Equipment	65,000.00
35. Operating Expense	<u>360.00</u>
TOTAL INCREASES	\$ 98,538.20

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

CRIME CONTROL FUND

Unappropriated and unencumbered	
Crime Control Fund	\$ 98,538.20
TOTAL REDUCTION	\$ 98,538.20

SECTION 5. The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

SECTION 6. This Ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 33, 1978. As reported by Mr. West, the funds from L.E.A.A. grants in this proposal provide an audio-transcript system, revising the re-arrest procedure, defendant information system, evidence-fall specialty and an information systems coordinator. Following the description of the programs, Mr. West moved to amend Proposal No. 33, 1978, by inserting an amended version referred to as Committee Recommendations in lieu of the introduced copy. The motion carried by unanimous voice vote. The Council recessed to a Committee of the Whole at 9:48 p.m., for public hearing and reconvened at 9:49 p.m. Following further discussion, the proposal was adopted on the following roll call vote; viz:

17 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.

9 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. McGrath, Mr. Miller, Mr. Rippel and Mr. Schneider.

2 NOT VOTING: Mr. McPherson and Mr. West.

Proposal No. 33, 1978, was retitled FISCAL ORDINANCE NO. 5, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 5, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional seventy-nine thousand two hundred ninety-eight dollars and forty-two cents (\$79,298.42) in the Crime Control Fund for purposes of Marion County Municipal Court and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1978, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of programs financed by L.E.A.A. Grants Nos. 76C-C01-15-090, 76C-G01-15-091, 76C-G01-15-092, and 76C-C01-15-059.

SECTION 2. The sum of seventy-nine thousand two hundred ninety-eight dollars and forty-two cents (\$79,298.42) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

	PRESIDING JUDGE MUNICIPAL COURT	CRIME CONTROL FUND
31.	Personnel	\$ 20,774.42
32.	Contractual Services	37,202.00
33.	Travel	-0-
34.	Equipment	18,630.00
35.	Operating Expense	<u>2,692.00</u>
	TOTAL INCREASES	\$ 79,298.42

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

CRIME CONTROL FUND

Unappropriated and unencumbered	
Crime Control Fund	\$ 79,298.42
TOTAL REDUCTION	\$ 79,298.42

SECTION 5. The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenue from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the County Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

SECTION 6. This Ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 34, 1978. Mr. West requested that Mr. Kelley, Prosecutor, explain the grant provided by this proposal. Mr. Kelley stated that this was a 100% grant for the implementation of a Juvenile PROMIS system. After usage in Indianapolis, other cities would model their programs from ours. Mr. Kelley said he had spoken with Judge Boring who approved of the program. The Council recessed to a Committee of the Whole for public hearing at 9:54 p.m. during which Mr. John McLane spoke. The Council reconvened at 9:55 p.m. and a roll call vote was taken which adopted Proposal No. 34, 1978, as follows; viz:

9 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Vollmer, Mr. Walters and Mr. West.

3 NOES: Mr. Anderson, Mrs. Brinkman, Mrs. Coughenour, Mr. Dowden, Mr. Dumil, Mr. Miller, Mr. Schneider and Mr. Tinder.

NOT VOTING: Mr. Tintera.

Proposal No. 34, 1978, was retitled FISCAL ORDINANCE NO. 7, 1978, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 1978

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional one hundred forty-nine thousand nine hundred forty-seven dollars and fifty-six cents (\$149,947.56) in the Crime Control Funds for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1978, be and is hereby, amended by the increases and reductions hereinafter stated for the purposes of federal grant 78 SS-AX-0002, juvenile PROMIS, administered by the Marion County Prosecutor.

SECTION 2. The sum of one hundred forty-nine thousand nine hundred forty-seven dollars and fifty-six cents (\$149,947.56) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

	PROSECUTOR	CRIME CONTROL FUND
31.	Personal Services	\$ 38,165.56
32.	Contractual Services	1,950.00
33.	Travel	1,328.00
34.	Equipment	95,000.00
35.	Operating Expense (Supplies)	5,504.00
36.	Construction	<u>8,000.00</u>
	TOTAL INCREASE	\$ 149,947.56

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

	CRIME CONTROL FUND
Unappropriated and unencumbered	
Crime Control Fund	<u>\$ 149,947.56</u>
TOTAL REDUCTIONS	\$ 149,947.56

SECTION 5. The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the County Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

SECTION 6. This Ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 428, 1977. Mr. Kimbell presented the Rules and Public Policy Committee report during the temporary absence of Mr. Tinder. He then moved, seconded by Mrs. Chambers, to strike Proposal No. 428, 1977. The motion carried by unanimous voice vote.

PROPOSAL NO. 501, 1977. Mr. Tinder presented the committee report saying that this proposal updated the current Code so that it complies with state law. Following discussion, it was moved and seconded for the adoption of this proposal. The motion carried on the following roll call vote; viz:

19 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera, and Mr. Walters.

NO NOES.

9 NOT VOTING: Mr. Anderson, Mr. Dowden, Mr. Hawkins, Mrs. Journey, Mr. Miller, Mr. Schneider, Mr. Vollmer and Mr. West.

Proposal No. 501, 1977, was retitled GENERAL ORDINANCE NO. 32, 1978, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 32, 1978

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County to delete references to imprisonment as a penalty for violations of the Code.

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

SECTION 1. Sec. 14—3 of Chapter 14 of the Code of Indianapolis and Marion County, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

Sec. 14.3. Acts constituting offenses under this chapter.

(a) The division of code enforcement, acting by and through the city, may cause an action to be initiated in which the imposition of misdemeanor penalties is requested in a court of competent jurisdiction relative to any person who does not comply with an order to take action issued pursuant to this chapter. The court shall find any person guilty of a misdemeanor if the following is shown:

- (1) An order to take action was properly issued to the person;
- (2) Service of the order to take remedial action, as provided by this article;
- (3) The person has a property interest in the hazardous building that is the subject of the order that would allow the person to take the action required by the order;
- (4) The examiner has taken action at a hearing either to affirm or modify the order;
- (5) No order has been issued by the division of code enforcement and no action has been taken by the examiner subsequent to the action taken by the examiner at the hearing to affirm or modify the order;
- (6) The building which is the subject of the order is a hazardous building;
- (7) The order, as affirmed or modified at the hearing held pursuant to this chapter, has not been complied with or, having once been complied with, is not now being complied with.

(b) Upon conviction of an offense pursuant to subsection (a), the person shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) ~~BY THE CITY OF INDIANAPOLIS AND MARION COUNTY~~

SECTION 2. Sec. 29-353 of Chapter 29 of the Code of Indianapolis and Marion County, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

Sec. 29-253. Crash helmets for driver and passenger on motorcycles and motor-driven cycles.

(a) Any person while operating a two-wheel motorcycle, motor scooter or other vehicle of the same general class in the city shall wear on his head a safety crash helmet capable of averting head injury.

(b) It shall be unlawful for any person to ride on any two-wheel motorcycle, motorscooter, or other such vehicle as a passenger without wearing a safety crash helmet.

(c) Each crash helmet, to be in compliance with this section, shall be made of a hard, crashproof substance of metal or fiber glass with soft padding on the interior thereof, and shall cover the head to the base of the skull. Any crash helmet which is approved by the American Motorcycle Association will be deemed acceptable as a standard.

(d) Any person who violates the provisions of this section, upon conviction, shall be punished by a fine of ~~of~~ not more than one hundred dollars (\$100.00) ~~BY THE CITY OF INDIANAPOLIS AND MARION COUNTY~~

SECTION 3. Sec. 23 1/2—19 of Chapter 23 1/2 of the Code of Indianapolis and Marion County, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

Sec. 23 1/2-19. Safety board to design and establish uniform, badge, etc.; fraudulent representation as member, penalty.

All manner of uniform, badge, insignia, equipment, and other identifying characteristics of the reserves shall be designed and established as the board of public safety of the City of Indianapolis (hereinafter "safety board") shall determine. No person shall wear such uniform, badge or insignia of the reserves, or hold himself out to be a member of the reserves, unless he has been duly appointed and sworn as provided by this article. Persons violating such prohibition shall, upon conviction, be fined not more than five hundred dollars (\$500.00) ~~BY THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA~~

SECTION 4. Sec. 29-9 of Chapter 29 of the Code of Indianapolis and Marion County, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

Sec. 29-9. Funeral processions to obey traffic regulations; penalties.

It shall be unlawful for any person conducting or assisting in the conduct of a funeral processions to fail to observe all traffic regulations or to cause other lawful traffic to stop for a funeral procession unless the funeral procession contains a vehicle carrying the remains of the deceased.

Any person violating this ordinance shall, upon conviction, be subject to a fine ~~OR~~ ~~NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) BY THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA~~ not to exceed five hundred dollars (\$500.00) ~~BY THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA~~

SECTION 5. This ordinance shall be in full force and effect from and after compliance with IC 18-4-5-2.

PROPOSAL NO. 21, 1978. Mr. Tinder gave a brief Rules and Public Policy Committee report which supported the adoption of this proposal which provides for indemnification of city and county employees. Following discussion, Proposal No. 21, 1978, was adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

1 NOT VOTING: Mr. Hawkins.

Proposal No. 21, 1978, was retitled GENERAL ORDINANCE NO. 33, 1978, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 1978

A GENERAL ORDINANCE adding a new section 2-193 to Chapter 2, Article V, Division 1 of the Code of Indianapolis and Marion County providing immunity, defense and indemnification by the City and County to officials and employees for legal action taken or liability found against them in their official or individual capacities.

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

SECTION 1. The Code of Indianapolis and Marion County be and is hereby amended by adding a new section 2-193 to read as follows:

Sec. 2-193. Defense and indemnification of officers, employees and agents.

(1) The Consolidated City and the County shall indemnify and defend their respective officers, employees and agents, as those terms are herein defined, without expense to those persons, with respect to any action filed against them in their official or individual capacities, or both, if the action complained of was taken within the scope and arising out of the performance of official duties and responsibilities.

(2) Indemnification under this section shall encompass any judgment recovered against any such officer, employee or agent in any court of law having jurisdiction thereof, arising out of a civil action brought to recover damages to persons or property resulting from alleged acts of negligence, wrongful acts or omissions of an officer, employee or agent acting within the scope of his or her authority and official employment or appointment.

(3) The obligation to indemnify shall not extend to acts of malice, acts of a willfull or wanton nature, criminal acts, acts calculated to accrue to the personal benefit of the individual officer, employee or agent or acts which are clearly beyond the duties and/or scope of authority of such person. Exoneration by a court of law shall be conclusive as to the absence of malice, criminality and other such conditions. In the absence of such a judicial determination, a determination as the presence of such conditions shall be made by the Corporation Counsel and presented to the City-County Council in the form of a written finding. The Finding of the Corporation Counsel shall prevail unless the Council within thirty (30) days of the receipt thereof passes a resolution rejecting the finding.

(4) "Officers, employees and agents", as used in this section, shall include the Mayor, deputy mayors, department directors, members of all boards and commissions of the Consolidated City, members of the City-County Council, and all other employees of the Consolidated City and of the County.

SECTION 2. This ordinance shall be in full force and effect from and after compliance with IC 18-4-5-2.

PROPOSAL NO. 20, 1978. The Transportation Committee report was given by Mr. Rippel. This proposal changed a number of yield signs to stop signs. Following the committee report, the proposal was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

NO NOES.

5 NOT VOTING: Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mr. Miller and Mr. Walters.

Proposal No. 20, 1978, was retitled GENERAL ORDINANCE NO. 34, 1978, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1978

A GENERAL ORDINANCE changing intersection controls at certain intersections [Amends Code Section 29-92] .

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-92. Schedule of Intersection Controls," be, and the same is hereby amended by the deletion of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No 16, pg 1	Allison Av & Deborah St	Allison Av	Yield
No 16, pg 1	Allison Av & Patricia St	Patricia St	Yield
No 16, pg 1	Allison Av & Thrush Dr	Thrush Dr	Yield
No 16, pg 1	Allison Av & 32nd St	32nd St	Yield
No 16, pg 1	Allison Av & 33rd St	Allison Av	Yield
No 16, pg 1	Auburn Rd & Deborah St	Auburn Rd	Yield
No 16, pg 1	Auburn Rd & Elaine St	Auburn Rd	Yield
No 16, pg 2	Chrysler St & Deborah St	Deborah St	Yield
No 16, pg 2	Chrysler St & Thrush Dr	Thrush Dr	Yield
No 16, pg 3	Cossell Dr & Patricia St	Patricia St	Yield
No 16, pg 3	Cossell Dr & 32nd St	32nd St	Yield
No 16, pg 2	Chrysler St & Donald Av & Welch Dr	Welch Dr	Yield
No 16, pg 3	Deborah St & Welch Dr	Welch Dr	Yield
No 16, pg 3	Donald Dr & Thrush Dr	Thrush Dr	Yield
No 16, pg 3	Deborah St & Winton Av	Winton Av	Yield
No 16, pg 4	Elaine St & Fuller Dr	Fuller Dr	Yield
No 16, pg 4	Elaine St & Welch Dr	Welch Dr	Yield
No 16, pg 4	Elaine St & Winton Av	Winton Av	Yield
No 16, pg 4	Fuller Dr & Patricia St	Fuller Dr	Yield
No 16, pg 4	Fuller Dr & Thrush Dr	Thrush Dr	Yield
No 16, pg 5	Gerrard Av & Patricia St	Gerrard Av	Yield
No 16, pg 5	Gerrard Av & Thrush Dr	Thrush Dr	Yield
No 16, pg 5	Gerrard Av & 32nd St	Gerrard Av	Yield
No 16, pg 5	Hart Dr & Patricia St	Patricia St	Yield
No 16, pg 5	Hart Dr & 32nd St	32nd St	Yield
No 16, pg 7	Patricia St & Winton	Patricia St	Yield
No 16, pg 7	Thrush Dr & Welch Dr	Welch Dr	Yield
No 16, pg 8	Winton Av & 32nd St	Winton Av	Yield
No 16, pg 8	Winton Av & 33rd St	Winton Av	Yield

PART II

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-92. Schedule of Intersection Controls," be, and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No 16, pg 1	Allison Av & Deborah St	Allison Av	Stop
No 16, pg 1	Allison Av & Patricia St	Patricia St	Stop
No 16, pg 1	Allison Av & Thrush Dr	Thrush Dr	Stop
No 16, pg 1	Allison Av & 32nd St	32nd St	Stop
No 16, pg 1	Allison Av & 33rd St	Allison Av	Stop
No 16, pg 1	Auburn Rd & Deborah St	Auburn Rd	Stop
No 16, pg 1	Auburn Rd & Elaine St	Auburn Rd	Stop
No 16, pg 2	Chrysler St & Deborah St	Deborah St	Stop
No 16, pg 2	Chrysler St & Thrush Dr	Thrush Dr	Stop
No 16, pg 3	Cossell Dr & Patricia St	Patricia St	Stop
No 16, pg 3	Cossell Dr & 32nd St	32nd St	Stop
No 16, pg 2	Chrysler St & Donald Av & Welch Dr	Welch Dr	Stop
No 16, pg 3	Deborah St & Welch Dr	Welch Dr	Stop
No 16, pg 3	Donald Dr & Thrush Dr	Thrush Dr	Stop
No 16, pg 3	Deborah St & Winton Av	Winton Av	Stop
No 16, pg 4	Elaine St & Fuller Dr	Fuller Dr	Stop
No 16, pg 4	Elaine St & Welch Dr	Welch Dr	Stop
No 16, pg 4	Elaine St & Winton Av	Winton Av	Stop
No 16, pg 4	Fuller Dr & Patricia St	Fuller Dr	Stop
No 16, pg 4	Fuller Dr & Thrush Dr	Thrush Dr	Stop
No 16, pg 5	Gerrard Av & Patricia St	Patricia St	Stop
No 16, pg 5	Gerrard Av & Thrush Dr	Gerrard Av	Stop
No 16, pg 5	Gerrard Av & 32nd St	Gerrard Av	Stop
No 16, pg 5	Hart Dr & Patricia St	Patricia St	Stop
No 16, pg 5	Hart Dr & 32nd St	32nd St	Stop
No 16, pg 7	Patricia St & Winton	Patricia St	Stop
No 16, pg 7	Thrush Dr & Welch Dr	Welch Dr	Stop
No 16, pg 8	Winton Av & 32nd St	Winton Av	Stop
No 16, pg 8	Winton Av & 33rd St	Winton Av	Stop

PART III

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY for violations of the sections amended by this ordinance.

PART IV

This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 24, 1978. Mr. Durnil stated that the Metropolitan Development Committee had approved the name change of a certain street. Following discussion, Proposal No. 24, 1978, was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

NO NOES.

6 NOT VOTING: Mr. Cantwell, Mr. Clark, Mr. Hawkins, Mr. Howard, Mr. Pearce and Mr. Walters.

Proposal No. 24, 1978, was retitled SPECIAL ORDINANCE NO. 3, 1978, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1978

A SPECIAL ORDINANCE changing the name of a certain street in Marion County, Indiana.

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

SECTION 1. The name of the east and west directional portion of South Harding Street, beginning at a point approximately 850 feet north of West Thompson Road, continuing easterly along the south right-of-way line of Interstate 465 for approximately 2300 feet to a dead-end terminus, be changed to "HARDING COURT".

SECTION 2. This Ordinance shall be in full force and effect from and after adoption and approval by the Mayor.

PROPOSAL NO. 25, 1978. Mr. Gilmer said the Parks & Recreation Committee had originally intended to recommend striking; however, due to the weather some citizens were unable to attend the committee meeting to testify. He therefore moved that Proposal No. 25, 1978, be referred back to committee. The motion was seconded by Mr. McGrath and carried by voice vote.

PROPOSALS NOS. 52-54, 1978. No action was taken on Proposals Nos. 52-54, 1978, and they were retitled REZONING ORDINANCE NOS. 21-23, 1978, and read as follows:

REZONING ORDINANCE NO. 21, 1978 77-Z-201 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3

10430-10444 EAST 56TH STREET, INDIANAPOLIS

CVW, Inc. by Lawrence F. & Virginia E. Parsons & John D. Miller by Philip A. Nicely, Attorney, 1100 First Federal Bldg. requests rezoning of 1.93 acres, being in A-2 district, to C-1 and C-7 classification to permit commercial development, initially for sales for small airplane parts.

REZONING ORDINANCE NO. 22, 1978 77-Z-213 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25

4607 SOUTH HARDING STREET, INDIANAPOLIS

S.H.R. Partnership by Philip A. Nicely, Attorney, 1100 First Federal Bldg, requests rezoning of 1.40 acres, being in I-3-S district, to C-7 classification to permit truck sales and services.

REZONING ORDINANCE NO. 23, 1978 77-Z-214 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25

4585 SOUTH HARDING STREET, INDIANAPOLIS

Dollar Motor Inn, Inc. of Indiana and Herriman-Keeler, et al by Philip A. Nicely, Attorney, 1100 First Federal Building requests rezoning of 9.00 acres, being in C-2 & I-3-S districts to C-7 classification to permit existing motel and truck related operations.

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas requested that all Council members submit their committee requests as soon as possible because the Committee on Committees would be meeting soon to make committee assignments.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 10:26 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 23rd day of January, 1978.

IN WITNESS WHEREOF, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

ATTEST:


President


Clerk of the City-County Council

(SEAL)