

**CITY—COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, April 24, 1978**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:34 p.m., Monday, April 24, 1978, President SerVaas in the chair. Councilman West opened the meeting with a prayer followed by the Pledge of Allegiance.

**ROLL CALL**

President SerVaas instructed the Clerk to take the roll. Twenty-nine 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. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

**CORRECTION OF JOURNAL**

The Chair called for additions or corrections to the Journal of March 27, 1978. There being no additions or corrections, the minutes were approved as distributed.

**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, April 24, 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

April 11, 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 April 13, 1978 and April 20, 1978, a NOTICE TO TAXPAYERS on Proposals No. 150, 151, 152, 153, 154, 157, 158, 159, 160, 161, 162, 164, 167, 1978, for a Public Hearing to be held on Monday, April 24, 1978, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

April 17, 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 and resolution:

**SPECIAL RESOLUTION NO. 7, 1978**, similar in effect to a resolution to be concurrently adopted by the Town of Speedway, Indiana, honoring Anton J. "Tony" Hulman, Jr. by designating a portion of West 16th Street and a portion of Crawfordsville Road as "Hulman Memorial Way."

**FISCAL ORDINANCE NO. 39, 1978**, amending the City-County Annual Budget for 1978 and appropriating an additional six hundred two thousand nine hundred four dollars in the Community Services Program Fund for purposes of Community Services Division, Department of Administration, and reducing the unappropriated and unencumbered balance in the Community Services Program Fund.

**FISCAL ORDINANCE NO. 40, 1978**, amending the City-County Annual Budget for 1978 and appropriating an additional sixty-three thousand dollars in the Consolidated County Fund for the purposes of Planning and Zoning, Department of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

**FISCAL ORDINANCE NO. 41, 1978**, amending the City-County Annual Budget for 1978 and appropriating an additional one hundred eighty-eight thousand three hundred sixty-three dollars on the Redevelopment General Fund for purposes of Urban Renewal Division, Department of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund.

**FISCAL ORDINANCE NO. 42, 1978**, amending the City-County Annual Budget for 1978 and appropriating an additional five hundred thousand dollars in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

Respectfully submitted,

s/William H. Hudnut, III

**PRESENTATION OF PETITIONS, MEMORIALS,  
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

**PROPOSAL NO. 200, 1978.** Mr. Clark introduced this proposal confirming the reappointment of Mr. William Simons to the Board of Ethics. After a brief discussion, Mr. Clark moved, seconded by Mr. Pearce, for the adoption of this proposal. The motion carried by unanimous voice vote. Proposal No. 200, 1978, was retitled **COUNCIL RESOLUTION NO. 11, 1978**, and reads as follows:

**CITY—COUNTY COUNCIL RESOLUTION NO. 11, 1978**

**A COUNCIL RESOLUTION reappointing a member of the Board of Ethics.**

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

**SECTION 1.** As a member of the Indianapolis—Marion County Board of Ethics, the Council appoints William R. Simons for a term of two years ending March 31, 1980.

**SECTION 2.** The foregoing appointment shall be for a term of two (2) years at the pleasure of the Council, and until his respective successor is appointed.

**INTRODUCTION OF GUESTS**

Mr. Kimbell introduced former councilman, August Wheeler. Mrs. Priscilla Needler of the Northeast Neighborhood Alliance was introduced by Mr. Pearce. Councilman Rippel introduced Mr. Hanns Winkler of the Advanced Transit Association. Mr. Winkler gave a brief presentation concerning the conference the Association was to have April 27 – 29, in Indianapolis. He particularly invited the council members to the Friday, April 28, sessions. Mr. Vollmer introduced the next Center Township Assessor, Mr. Henry Bayt. Councilman Howard introduced Mr. Homer Smith of the NAACP State Housing Committee. State Senator John Mutz was introduced by Mrs. Chambers.

**INTRODUCTION OF PROPOSALS**

**PROPOSAL NO. 181, 1978.** Introduced by Mr. 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 eighty-nine thousand nine hundred ninety-six dollars (\$89,996) in the Consolidated County Fund for purposes of the Human Rights Division, Department of Administration and reducing the unappropriated and unencumbered balance in the Consolidated County Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 182, 1978. Introduced by Mr. 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 eight million four hundred twenty-eight thousand three hundred eleven dollars (\$8,428,311) in the Manpower Federal Programs Fund for purposes of the Employment and Training Division, Department of Administration and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Manpower Federal Programs Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 183, 1978. Introduced by Mr. Schneider. 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 four hundred sixty thousand one hundred dollars (\$460,100) 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. 184, 1978. Introduced by Mr. Schneider. 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 hundred four thousand three hundred fifty-two dollars (\$204,352) in the 1976 Reassessment Fund for purposes of various county departments and reducing the unappropriated and unencumbered balance in the 1976 Reassessment Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 185, 1978. Introduced by Mrs. Chambers. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving certain amendments to the 1978 calendar year budget of the Capital Improvements Board of Marion County;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 186, 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) to add a section authorizing the addition of certain employees paid from the Crime Control Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 187, 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 thirty-four thousand six hundred fifty dollars (\$34,650) in the Crime Control Fund for purposes of Criminal Court IV 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. 188, 1978. Introduced by Mr. Rippel. 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 hundred fifty thousand dollars (\$250,000) in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation Fund;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 189, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 190, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing the speed limit on a certain portion of North DeQuincy Street [Amends Code Section 29-136] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 191, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance creating parking restrictions and establishing speed limits on a portion of East 30th Street [Amends Code Section 29-36 and 29-267] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 192, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance restricting parking on a certain portion of East 52nd Street [Amends Code Section 29-267] ;" and the President referred it to the Transportation Committee.

PROPOSALS NOS. 193 - 199, 1978. Introduced by Mr. Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on April 20, 1978;" and the President referred it to the Committee of the Whole to be heard under Special Orders - Final Adoption.

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 144, 1978. Mr. West, Chairman, reported for the Public Safety & Criminal Justice Committee explaining that this proposal funded through a LEAA grant financed Juvenile Court's High Delinquency program. The grant is in effect from May 21 through September 22. The Council recessed to a Committee of the Whole at 7:52 p.m. for public hearing and reconvened at 7:53. Following discussion, Proposal No. 144, 1978, was adopted on the following roll call vote; viz:

20 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Patterson, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

5 NOES: Mr. Anderson, Mrs. Coughenour, Mr. Dowden, Mr. Miller and Mr. Schneider.

4 NOT VOTING: Mrs. Chambers, Mr. Hawkins, Mr. Pearce and Mr. Tintera.

Proposal No. 144, 1978, was retitled FISCAL ORDINANCE NO. 43, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 43, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional seventeen thousand seven hundred twenty-two dollars and thirteen cents (\$17,722.13) in the County General 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 the Juvenile Court High Delinquency Program.

SECTION 2. The sum of seventeen thousand seven hundred twenty-two dollars and thirteen cents (\$17,722.13) 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	CRIME CONTROL FUND
31.	Personnel	\$ 17,227.13
33.	Travel	495.00
	TOTAL INCREASES	\$ 17,722.13

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

	CRIME CONTROL FUND
Unappropriated and unencumbered Crime Control Fund	\$ 17,722.13
TOTAL REDUCTIONS	\$ 17,722.13

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

PROPOSAL NO. 145, 1978. Mr. West reported that a building to house the Title XX and Title IV—D programs and the sheriff's office for juveniles was overbid and a bid for the Department of Transportation was under, which was to make up the difference. The project will be financed by an EDA grant. The Council recessed to a Committee of the Whole at 7:57 p.m., during which Mr. John McLane spoke; and reconvened at 7:58 p.m. Following public hearing, Mr. Rippel moved, seconded by Mr. Walters, to amend Proposal No. 145, 1978, by adding the Patterson Amendment. The motion carried by unanimous voice vote. Mr. West then moved, seconded by Mr. Howard, to return the proposal to committee. The motion carried by voice vote.

PROPOSAL NO. 146, 1978. For the Economic Development Committee, Mr. Tintera explained that this proposal transferred money from the 1976 Reassessment Fund to the newly created Mayor's County Building Construction Fund for the purpose of planning Phase III Public Works projects which must be prepared within ninety days after the allocation of funds. Mr. Howard moved, seconded by Mrs. Journey, to send the proposal to committee. Mr. Elrod, General Counsel, stated this fund would finance engineering studies which would assist the City in applying for federal funding for projects such as the jail renovation. The Council then voted on Mr. Howard's motion to return the proposal to committee which failed on the following roll call vote; viz:

*13 AYES: Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Schneider, Mr. Vollmer and Mr. Walters.*

*15 NOES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, and Mr. West.*

*1 NOT VOTING: Mr. Bayt.*

Mr. Schneider stated that he preferred that the money did not come from the reassessment fund. He then moved, seconded by Mr. Howard, to amend Proposal No. 146, 1978, by adding a new Section 7 which states: "In the event Phase III is not granted to the City, the funds will be returned to the original funding." Renumber Section 7 as Section 8. Following the introduction of Mr. Schneider's amendment, the Chair ruled that it must be submitted in writing.

Mr. Tintera then moved, seconded by Mr. Schneider, to postpone Proposal No. 146, 1978, until the May 8, 1978, Council meeting. Consent was given.

PROPOSAL NO. 150, 1978. The Metropolitan Development Committee report was given by Mr. Durnil. The breakdown of the \$401,663 appropriated was as follows: \$23,018 for the administering of Urban Homesteading, \$90,000 for Emergency Home Repair, and \$288,645 funds transfer. The Council recessed to a Committee of the Whole at 8:23 p.m. for public hearing and reconvened at 8:24 p.m. Following public hearing and discussion, the proposal was adopted on the following roll call vote; viz:

23 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

6 NOT VOTING: Mr. Anderson, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Miller and Mr. Schneider.

Proposal No. 150, 1978, was retitled FISCAL ORDINANCE NO. 44, 1978, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 44, 1978**

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating and transferring an additional four hundred one thousand six hundred sixty-three dollars (\$401,663) in the Redevelopment General Fund for purposes of the Urban Renewal Division, Department of Metropolitan Development and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Redevelopment General 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 1.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of increased programs financed by Community Development grants and reclassification of certain demolition expenses.

SECTION 2. The sum of four hundred one thousand six hundred sixty-three dollars (\$401,663) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT		
URBAN RENEWAL DIVISION		REDEVELOPMENT GENERAL FUND
21. Contractual Services		\$ 401,663
TOTAL INCREASES		\$ 401,663

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

DEPARTMENT OF METROPOLITAN DEVELOPMENT		
URBAN RENEWAL DIVISION		REDEVELOPMENT GENERAL FUND
25. Current Obligations		\$ 288,645
Unappropriated and unencumbered Redevelopment General Fund		113,018
TOTAL REDUCTIONS		\$ 401,663

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



PROPOSAL NO. 151, 1978. Mr. Dumil reported that the \$189,612 appropriated funded the three Planning & Zoning programs of Air Quality, Parks and Community Development. The Council recessed to a Committee of the Whole at 8:24 p.m. for public hearing, and reconvened at 8:25 p.m. Following public hearing and discussion, Proposal No. 151, 1978, was adopted on the following roll call vote; viz:

- 23 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.  
 5 NOES: Mr. Anderson, Mr. Dowden, Mr. McGrath, Mr. Rippel and Mr. Schneider.  
 1 NOT VOTING: Mr. Cantwell.

Proposal No. 151, 1978, was retitled FISCAL ORDINANCE NO. 45, 1978, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 45, 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 eighty-nine thousand six hundred twelve dollars (\$189,612) in the Consolidated County Fund for purposes of Planning & Zoning Division, Department of Metropolitan Development and reducing the unappropriated and unencumbered balance in the Consolidated County 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 1.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of Air Quality, Park and Community Development Planning projects financed from several grants.

SECTION 2. The sum of one hundred eighty-nine thousand six hundred twelve dollars (\$189,612) be, and the same is hereby, appropriated for the purposes as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT		
PLANNING & ZONING DIVISION		CONSOLIDATED COUNTY FUND
10.	Personal Services	\$ 118,250
21.	Contractual Services	59,787
24.	Current Charges	4,320
25.	Current Obligations	<u>7,255</u>
TOTAL INCREASES		\$ 189,612

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

Unappropriated and unencumbered		
Consolidated County Fund		CONSOLIDATED COUNTY FUND
		\$ 189,612
TOTAL REDUCTIONS		\$ 189,612

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

The President inquired of the Clerk if petitions requesting the issuance of the bonds which would be authorized by Proposal No. 152, 1978, had been filed with the Council. The Clerk responded that petitions requesting the issuance of such bonds had been filed in numerous counter-parts containing signatures of some 9,435 persons. She further reported that such petitions were in the process of being examined by the Auditor of Marion County to determine the number of signers who were the owners of taxable real estate located within the City of Indianapolis, and she had just received the preliminary certification by the Auditor that at least 6,302 of such signers were owners of taxable real estate within the City.

[Clerk's Note: Later, supplemental certification by the auditor showed an additional 859 of the signatures to be valid owners of taxable real estate within the City.]

Mr. Bayt began the discussion on the tennis complex bond. He expressed his opposition to the project and stated his belief that the money should be spent for human needs, i.e. the Marion County Home. Mr. Howard concurred with Mr. Bayt and further expressed his opinion that the sports facility would become a "white elephant." In support of the tennis stadium, Mr. Clark stated that it takes money to make money, and better facilities would attract more business to Indianapolis which in turn would provide more jobs.

Mr. Schneider then moved, seconded by Mrs. Journey, the following amendment:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

**I move that City-County Council Proposal No. 152, 1978, be amended as follows:**

**Add to Section 1 the following:**

**After one (1) year of operations following completion of the project, any deficits in operation expenses, excluding bond retirement costs, shall be funded by private sources.**

**s/William Schneider**

Mr. David Frick, Deputy Mayor, explained that such an amendment would put the bond in jeopardy. Mr. Schneider believed his amendment was a buffer for the taxpayer. Mr. West stated his opposition to the amendment on the grounds that the second year would be the hardest year to receive money from private sources. The amendment was defeated 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. Schneider and Mr. Walters.*

19 NOES: *Mr. Anderson, Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.*

Discussion of the bond issue continued with Mr. Walters stating that if improvement of the City's image was one of the Administration's reasons for developing the tennis complex, he was opposed on the basis that he was satisfied with its current image. Mr. Pearce believed the money should be spent in neighborhoods instead of on the new sports facility.

At the request of Mr. Vollmer, Mr. David Frick, Deputy Mayor, explained why the bond issue was one of the City and not one of the County. The bond could not be a Parks Bond because there was one under litigation. The only other category it could be placed into was as a Consolidated City Bond which excluded the incorporated cities in Marion County.

Supporting the bond issues, Mr. Tintera asked the council members to note the versatility the stadium would have and how it would enhance the east bank of White River. Mr. Gilmer said the City had to create its own attractions since the physical attraction was not as great as in other big cities. In doing so, he believed we would stimulate the economy of the County. Mrs. Brinkman concurred.

The Chair announced public hearing at 9:02 p.m., during which each person would have two minutes to express their views. Reverend Charles Colton stated his opposition to the complex, and believed the City should use the money for the poor. In response to a question by Mr. John McLane, Mr. West stated that the revenue inflow would equal the outflow by 1983. Mr. McLane supported the bond issue. Mr. Kirk Gardener, Precinct Committeeman from Wayne Township, expressed his support of the facility. Mr. James C. Barnett, opposed the stadium, and stated his belief that in order to generate funds the City should have pari-mutuel betting and the State should have a lottery. The Council reconvened at 9:12 p.m.

Mr. SerVaas surrendered the gavel to Mr. Clark while he expressed his support for the facility as an asset to the City and to Indiana University—Purdue University Indianapolis.

In summarizing the Public Works Committee report, Mrs. Coughenour said she believed there was no risk to the taxpayer. The program will be administered by the University and the tax base of Center Township will not decline. The facility is

better being built by the City instead of private enterprise because the interest rate is half that which a private business could get, Lilly is matching \$1.5 million, and the University is donating. Following further discussion during which Council members explained their votes, Proposal No. 152, 1978, was adopted on the following roll call vote; viz:

22 AYES: *Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, and Mr. West.*

6 NOES: *Mr. Bayt, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters.*

1 NOT VOTING: *Mr. Campbell.*

Proposal No. 152, 1978, was retitled GENERAL ORDINANCE NO. 57, 1978, and reads as follows:

#### CITY-COUNTY GENERAL ORDINANCE NO. 57, 1978

A GENERAL ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of the City for the purpose of procuring funds to be applied to the costs of acquiring interests in real estate, constructing and equipping a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River; together with expenses incidental to all of the foregoing, including expenses in connection with the issuance of bonds.

WHEREAS, the Board of the Department of Public Works of the City of Indianapolis ("Board"), has found that it would be in the best interests of the City and its citizens to provide for the acquisition of interests in real estate, the construction and equipment of a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River, at an estimated total cost of six million five hundred thousand dollars (\$6,500,000), including expenses incidental to the foregoing, including expenses in connection with the issuance of bonds; and

WHEREAS, the costs of the project have caused a necessity to arise for further appropriations, and requests for such appropriations in the amount of six million five hundred thousand dollars (\$6,500,000) for these purposes have been filed, which requests have been approved by the Controller with the recommendation that two million five hundred thousand dollars (\$2,500,000) of the total funds necessary to cover the appropriations be obtained from contributions from private donations and that four million dollars (\$4,000,000) of the total funds necessary to cover the appropriations be obtained by the issuance and sale of bonds of the City; and

WHEREAS, a petition has been filed under the provisions of IC 6-1.1-20-3 by more than fifty (50) owners of taxable real estate in the City of Indianapolis, requesting the City-County Council to issue bonds in an amount not exceeding four million dollars (\$4,000,000) for the purpose of procuring funds to be applied to the costs of acquiring interests in real estate, constructing and equipping a multi-purpose stadium and sports facility, and related improvements to real estate, to be available for general public use, in

the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River, together with expenses incidental to all of the foregoing, including expenses in connection with the issuance of bonds; and

WHEREAS, the Council now finds that the project is necessary and will be of general benefit to the City and its citizens; now, therefore:

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

SECTION 1. The City of Indianapolis ("City") shall proceed with the acquisition of interests in real estate, construction and equipment of a multi-purpose stadium and sports facility, and related improvements to real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River.

SECTION 2. For the purpose of providing four million dollars (\$4,000,000) of the six million five hundred thousand dollars (\$6,500,000) in funds to be applied on the project and the incidental expenses necessary to be incurred in connection therewith, the City shall make a loan in the amount of four million dollars (\$4,000,000). In order to procure this loan, the Controller is hereby authorized and directed to have prepared and to issue and sell negotiable general obligation bonds of the City, to be designated as "Indianapolis Multi-Purpose Stadium Bonds of 1978," in the aggregate principal amount of four million dollars (\$4,000,000), which bonds shall be issued in the denomination of five thousand dollars (\$5,000), shall be numbered consecutively from 1 upwards, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate or rates not exceeding seven percent (7%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable on July 1, 1979, and semi-annually thereafter on January 1 and July 1 of each year, and shall be evidenced by coupons attached to such bonds. Both bonds and interest coupons shall be payable at the office of the Treasurer of Marion County, ex-officio Treasurer of the City of Indianapolis, in the City of Indianapolis, Indiana, in lawful money of the United States of America. The bonds shall mature serially on January 1 in the years and amounts as follows:

YEAR	AMOUNT	YEAR	AMOUNT
1980	\$100,000	1990	\$200,000
1981	\$125,000	1991	\$200,000
1982	\$125,000	1992	\$225,000
1983	\$125,000	1993	\$225,000
1984	\$150,000	1994	\$250,000
1985	\$150,000	1995	\$250,000
1986	\$150,000	1996	\$275,000
1987	\$175,000	1997	\$300,000
1988	\$175,000	1998	\$300,000
1989	\$175,000	1999	\$325,000

The bonds shall be executed in the name of the City of Indianapolis by the facsimile signature of the Mayor, countersigned by the Controller, and attested by the facsimile signature of the Clerk, who shall affix the seal of the City to each of the bonds. The interest coupons attached to the bonds shall be executed with the facsimile signatures of the Mayor and Controller, and these officials, by the signing of the bonds, shall adopt as and for their own proper signatures their facsimile signatures appear on such coupons. The bonds shall, in the hands of bona fide holders, have all the qualities of negotiable instruments.

SECTION 3. The form and tenor of the bonds and the interest coupons to be attached thereto shall be substantially as follows (all blanks to be properly completed prior to the printing of the bonds):

UNITED STATES OF AMERICA  
State of Indiana                      County of Marion

NO. \_\_\_\_\_

\$5,000

CITY OF INDIANAPOLIS  
INDIANAPOLIS MULTI-PURPOSE STADIUM BOND OF 1978

The City of Indianapolis, in Marion County, Indiana for value received, hereby acknowledges itself indebted and promises to pay the bearer hereof the principal amount of

FIVE THOUSAND DOLLARS

On January 1, 19\_\_ , and to pay interest thereon from the date hereof until the principal is paid, at the rate of \_\_percent (\_\_)% per annum, payable on July 1, 1979, and semi-annually thereafter on January 1 and July 1 in each year, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the Office of the Treasurer of Marion County, ex officio Treasurer of the City of Indianapolis, in the City of Indianapolis, Indiana.

This bond is one of an authorized issue of eight hundred (800) bonds of the City of Indianapolis, of like date, denomination, tenor and effect, except as to interest rates and dates of maturity, aggregating four million dollars (\$4,000,000), numbered consecutively from 1 upwards issued pursuant to an ordinance adopted by the City-County Council of said City on \_\_\_\_\_, 1978, entitled "An Ordinance of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of the City for the purpose of procuring funds to be applied to the costs of acquiring interests in real estate, constructing and equipping a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River, together with expenses incidental to all of the foregoing, including expenses in connection with the issuance of bonds," and the Indiana Code of 1971, Titles 18 and 19 and particularly Title 19, Article 7, Chapter 21.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and that the full faith and credit of the City of Indianapolis, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the City of Indianapolis, in Marion County, Indiana, by ordinance of its City-County Council, has caused this bond to be executed in its corporate name by the facsimile signature of its Mayor, countersigned by its Controller, its corporate seal to be hereunto affixed and attested by the facsimile signature of its clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said Mayor and Controller, as of the first day of \_\_\_\_\_, 1978.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_

Mayor

Countersigned:

\_\_\_\_\_  
Controller

ATTEST:

\_\_\_\_\_  
Clerk

(Interest Coupon)

Coupon No. \_\_\_\_\_

\$ \_\_\_\_\_

On \_\_\_\_\_ 1, \_\_\_\_\_, the City of Indianapolis, Indiana, will pay to bearer at the office of the Treasurer of Marion County, ex officio Treasurer of the City of Indianapolis, in the City of Indianapolis, Indiana, the amount shown hereon in lawful money of the United States of America, being the interest then due on its INDIANAPOLIS MULTI-PURPOSE STADIUM BOND of 1978, dated \_\_\_\_\_ 1, 1978, NO. \_\_\_\_\_.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_

\_\_\_\_\_  
Controller

SECTION 4. As soon as can be done after the passage of this ordinance, the Clerk shall give notice of the filing of the petition for and determination to issue bonds. Such notice shall be published once each week for two weeks in two newspapers of general circulation published in the City of Indianapolis, and shall also be posted in three public places in the City, as provided by IC 6-1.1-20-4 and IC 6-1.1-20-5

In the event a resmonstrance shall be filed by the owners of taxable real estate under the provisions of IC 6-1.1-20-4, then no further steps towards the issuance of said bonds shall be taken unless and until the City-County Council shall have determined that such remonstrance is insufficient. In the event an objecting petition or petitions are filed by taxpayers under the provisions of IC 6-1.1-20-6, then no further steps towards the issuance of the bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order and approving the issuance of such bonds. In the event it shall be determined by the State Board of Tax Commissioners, or otherwise, that the whole amount of the bonds herein authorized shall not be issued, then the Controller shall be authorized to advertise and sell a lesser amount of bonds, and the bonds not issued and sold shall be the bonds of the longest maturity or maturities.

SECTION 5. Prior to the sale of bonds the Controller shall cause to be published a notice of such sale once each week for two weeks in two newspapers of general circulation which are published in the City of Indianapolis and which represent different political parties. Such notice or a summary thereof may, in the discretion of the Controller, be published one time in The Bond Buyer, a financial journal published in the City and State of New York. The date fixed for the sale shall not be earlier than seven (7) days after the last of the publications in the Indianapolis newspapers. The bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the Controller shall deem necessary.

All bids for bonds shall be sealed out and shall be presented to the Controller at his office, and the Controller shall continue to receive all bids offered until the hour named on the day fixed in the bond sale notice, at which time and place he shall open and consider each bid. Bidders for the bonds shall be required to name the rate or rates of interest which the bonds are to bear, not exceeding seven per cent (7%) per annum, and such interest rate or rates shall be in multiples of one-eighth (1/8) or one-tenth (1/10) of one per cent (1%), and not more than four (4) different interest rates shall be named by each bidder. All bonds maturing on the same date shall bear the same single rate of interest, and the interest due on any bond on any interest payment date shall be represented by a single interest coupon. The interest rate bid on the bonds in any maturity shall be equal to or greater than the interest rate bid on the immediately preceding maturity. The Controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest

cost to the City, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest at the rate or rates named to the date of delivery, will be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in the notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days, without re-advertising, but during such continuation no bid shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of the bonds the Controller shall be authorized to obtain a legal opinion as to the validity of the bonds from Ice Miller Donadio & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the purchaser of the bonds. The cost of this opinion shall be considered a part of the costs of the project, and shall be paid out of the proceed of the sale of the bonds.

**SECTION 6.** The Controller is hereby authorized and directed to have such bonds and coupons prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute the bonds and the interest coupons to be attached thereto in the form and manner herein provided. After the bonds have been properly executed, the Controller and the Treasurer of Marion County, ex officio Treasurer of the City of Indianapolis shall deliver the bonds to the purchasers in the manner provided in IC 18-1-4-3.

**SECTION 7.** This ordinance shall be in full force and effect immediately upon its passage.

PROPOSAL NO. 153, 1978. Mrs. Coughenour reported that this proposal authorized the City to use the money received from the bonds for the construction of the tennis stadium. The Council recessed to a Committee of the Whole at 9:27 p.m. for public hearing and reconvened at 9:28 p.m. Proposal No. 153, 1978, was then adopted on the following roll call vote; viz:

20 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Walters and Mr. West.

4 NOES: Mr. Howard, Mrs. Journey, Mr. Pearce and Mr. Vollmer.

5 NOT VOTING: Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mr. Dowden and Mr. Hawkins.

Proposal No. 153, 1978, was retitled FISCAL ORDINANCE NO. 46, 1978, and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 46, 1978

An Ordinance of the City of Indianapolis, Indiana, appropriating the sum of four million dollars (\$4,000,000) for the purpose of providing funds to be applied to the costs of acquiring interests in real estate, constructing and equipping a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University-Purdue University at Indianapolis, Military Park, Market Street, and White River, together with expenses incidental to all of the foregoing, including expenses in connection with the issuance of bonds.



WHEREAS, the Board of the Department of Public Works of the City of Indianapolis, has found that it would be in the best interests of the City and its citizens to provide for the acquisition of interests in real estate, the construction and equipment of a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River, at an estimated total cost of six million five hundred thousand dollars (\$6,500,000), including expenses incidental to the foregoing, including expenses in connection with the issuance of bonds; and

WHEREAS, the costs of the project have caused a necessity to arise for further appropriations, and requests for such appropriations in the amount of six million five hundred thousand dollars (\$6,500,000) for these purposes have been filed, which requests have been approved by the Controller with the recommendation that two million five hundred thousand dollars (\$2,500,000) of the total funds necessary to cover the appropriations be obtained from private donations and that four million dollars (\$4,000,000) of the total funds necessary to cover the appropriations be obtained by the issuance and sale of bonds of the City; and

WHEREAS, a petition has been filed under the provisions of IC 6-1.1-20-3, by more than fifty (50) owners of taxable real estate in the City of Indianapolis, requesting the City-County Council to issue bonds in an amount not exceeding four million dollars (\$4,000,000) for the purpose of procuring funds to be applied to the costs of acquiring interests in real estate, constructing and equipping a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River; at an estimated total cost of six million five hundred thousand dollars (\$6,500,000), including expenses incidental to all the foregoing, including expenses in connection with the issuance of bonds; and

WHEREAS, the Council now finds that said projects are necessary and will be of general benefit to the City and its citizens; and

WHEREAS, the Council now finds that the City has no funds available or provided for in the existing budgets and tax levies which may be applied on said projects, making it necessary to authorize the issuance of bonds of the City in order to procure the funds to be furnished by the City, and that a necessity exists for the making of the additional appropriation hereinafter set out; now, therefore:

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

SECTION 1. That the sum of four million dollars (\$4,000,000) be and the same is hereby appropriated to provide for the acquisition of interests in real property, the construction and equipment of a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River; together with expenses incidental to all of the foregoing, including expenses in connection with the issuance of bonds. Funds to meet this appropriation shall be provided from the proceeds of bonds of the City designated "Indianapolis Multi-Purpose Stadium Bonds of 1978", in the amount of four million dollars (\$4,000,000) heretofore authorized to be issued for application on the cost of the aforementioned projects.

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

PROPOSAL NO. 154, 1978. Mrs. Coughenour reported that this proposal authorized the appropriation of \$2,500,000 for the tennis stadium which would be financed by private donors. The Council recessed to a Committee of the Whole at 9:28 p.m. for public hearing and reconvened at 9:29 p.m. Following public hearing, Proposal No. 154, 1978, was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

2 NOES: Mr. Howard and Mrs. Journey.

4 NOT VOTING: Mr. Bayt, Mr. Campbell, Mr. Cantwell and Mr. Pearce.

Proposal No. 154, 1978, was retitled FISCAL ORDINANCE NO. 47, 1978, and reads as follows:

#### CITY—COUNTY FISCAL ORDINANCE NO. 47, 1978

An Ordinance of the Consolidated City of Indianapolis and Marion County, Indiana, appropriating the sum of two million five hundred thousand dollars (\$2,500,000) for the purpose of providing funds to be applied to the costs of acquiring interests in real estate, constructing and equipping a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River; together with expenses incidental to all of the foregoing, including expenses in connection with the issuance of bonds.

WHEREAS, the Board of the Department of Public Works of the City of Indianapolis, has found that it would be in the best interests of the City and its citizens to provide for the acquisition of interests in real estate, the construction and equipment of a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River, at an estimated total cost of six million five hundred thousand dollars (\$6,500,000), including expenses incidental to the foregoing, including expenses in connection with the issuance of bonds; and

WHEREAS, the costs of the project have caused a necessity to arise for further appropriations, and requests for such appropriations in the amount of six million five hundred thousand dollars (\$6,500,000) for these purposes have been filed, which requests have been approved by the Controller with the recommendation that two million five hundred thousand dollars (\$2,500,000) of the total funds necessary to cover the appropriations be obtained from private donations and that four million dollars (\$4,000,000) of the total funds necessary to cover the appropriations be obtained by the issuance and sale of bonds of the City; and

WHEREAS, private donations to be applied towards the costs of constructing and equipping the aforementioned multi-purpose stadium and sports facility, have been promised the City in the amount of two million five hundred thousand dollars; and

WHEREAS, the Council now finds that said projects are necessary and will be of general benefit to the City and its citizens; and

WHEREAS, the Council now finds that the City has insufficient funds available or provided for in the existing budgets and tax levies which may be applied on said projects, and that a necessity exists for the making of the additional appropriation hereinafter set out; now, therefore:

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

**SECTION 1.** That the sum of two million five hundred thousand dollars (\$2,500,000) be and the same is hereby appropriated to provide for the acquisition of interests in real estate, the construction and equipment of a multi-purpose stadium and sports facility, and related improvements of real estate, to be available for general public use, in the general area bounded by Indiana University—Purdue University at Indianapolis, Military Park, Market Street, and White River; together with expenses incidental to all of the foregoing. Funds to meet said appropriation shall be provided from private donations in the amount of two million five hundred thousand dollars (\$2,500,000).

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

PROPOSAL NO. 157, 1978. Mr. Rippel presented the Transportation Committee report. The Council recessed to a Committee of the Whole at 9:29 p.m. for public hearing and reconvened at 9:30 p.m. Following public hearing, Proposal No. 157, 1978, was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.

NO NOES.

6 NOT VOTING: Mr. Bayt, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Patterson and Mr. West.

Proposal No. 157, 1978, was retitled FISCAL ORDINANCE NO. 48, 1978, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 48, 1978**

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional one million eight hundred twenty-four thousand six hundred eighteen dollars (\$1,824,618) in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation 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 1.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of reappropriating unencumbered balances of E.D.A. projects started in 1977.

**SECTION 2.** The sum of one million eight hundred twenty-four thousand six hundred eighteen dollars (\$1,824,618) 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:

DEPARTMENT OF TRANSPORTATION		TRANSPORTATION FUND
21.	Contractual Services	\$ 1,824,618
	<b>TOTAL INCREASES</b>	<b>\$ 1,824,618</b>

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

		TRANSPORTATION FUND
	Unappropriated and unencumbered	
	Transportation Fund	\$ 1,824,618
	<b>TOTAL REDUCTIONS</b>	<b>\$ 1,824,618</b>

**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 City Controller, 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. 158, 1978. Reporting for the Transportation Committee, Mr. Rippel, Chairman, explained this proposal appropriated CETA money for the Department of Transportation's Hand Bridge Cleaning Project. The funds extend through September, which is the fiscal year of the federal government. The Council recessed to a Committee of the Whole at 9:31 p.m. and reconvened at 9:32 p.m., after public hearing. Proposal No. 158, 1978, was then adopted on the following roll call vote; viz:

*22 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Chambers, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

*NO NOES.*

*7 NOT VOTING: Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Gilmer, Mr. Howard and Mr. Patterson.*

Proposal No. 158, 1978; was retitled FISCAL ORDINANCE NO. 49, 1978, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 49, 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 twenty thousand nine hundred sixteen dollars (\$120,916) in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation 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 1.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of bridge cleaning project financed by C.E.T.A. grants.

SECTION 2. The sum of one hundred twenty thousand nine hundred sixteen dollars (\$120,916) 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:

DEPARTMENT OF TRANSPORTATION		TRANSPORTATION FUND
10.	Personal Services	\$ 102,026
21.	Contractual Services	4,080
22.	Supplies	780
24.	Current Charges	8,220
25.	Current Obligations	5,810
	TOTAL INCREASES	\$ 120,916

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

UNAPPROPRIATED AND UNENCUMBERED		TRANSPORTATION FUND
	Transportation Fund	\$ 120,916
	TOTAL REDUCTIONS	\$ 120,916

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 City Controller, 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. 159, 1978. Mr. West reported that this proposal provided ten additional CETA workers to do maintenance work in the Sheriff's Department. He then moved, seconded by Mr. Durnil, the following technical amendment:

#### CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 195, 1978, by deleting the following words and figures from the title and line 1 of Section 2:

"forty-three thousand seven hundred ninety-nine dollars (\$43,799)".

Insert in lieu thereof the following words and figures:

"forty thousand two hundred fifty-six dollars (\$40,256)".

s/Stephen R. West

The motion carried by unanimous voice vote. The Council recessed to a Committee of the Whole at 9:34 p.m. for public hearing, during which Reverend Charles Colton urged the proposal's passage. The Council reconvened at 9:35 p.m. Following discussion, Proposal No. 159, 1978, As Amended, was adopted on the roll call vote; viz:

20 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

9 NOT VOTING: Mr. Bayt, Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Gilmer, Mr. Howard, Mr. Miller, Mr. Schneider and Mr. Tintera.

Proposal No. 159, 1978, As Amended, was retitled FISCAL ORDINANCE NO. 50, 1978, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 50, 1978**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional forty thousand two hundred fifty-six dollars (\$40,256) in the County General Fund for purposes of the Marion County Sheriff and reducing the unappropriated and unencumbered balance in the County General 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 2.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of employing ten additional maintenance helpers at \$518.70 per month for seven months, to be paid from C.E.T.A. monies.

SECTION 2. The sum of forty thousand two hundred fifty-six dollars (\$40,256) 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:

	COUNTY SHERIFF	COUNTY GENERAL FUND
10. Services Personal		\$ 36,309
	COUNTY AUDITOR	
25. Current Obligations		3,947
	TOTAL INCREASES	\$ 40,256

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

	COUNTY GENERAL FUND
Unappropriated and unencumbered	
County General Fund	\$ 40,256
TOTAL REDUCTIONS	\$ 40,256

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. 160, 1978. This proposal funds the initiation of the up-dating of a four-phased communications system for the Sheriff's Department. An LEAA

grant finances 90% of the program. The system is not compatible with the Police Department's communication system. Mr. Tintera encouraged the combination of the two departments. Mr. Schneider pointed out the two departments provided additional security for the citizens. The Council recessed at 9:46 p.m. for public hearing during which Reverend Charles Colton encouraged the merger of the Police and Sheriff's Departments. The Council reconvened at 9:47 p.m. Proposal No. 160, 1978, was then adopted on the following roll call vote; viz:

- 25 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.
- 2 NOES: Mr. Anderson and Mr. Kimbell.
- 2 NOT VOTING: Mr. Cantwell and Mr. Howard.

Proposal No. 160, 1978, was retitled FISCAL ORDINANCE NO. 51, 1978, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 51, 1978**

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional three hundred fifty-four thousand six hundred ten dollars (\$354,610) in the Crime Control Fund for purposes of the Marion County Sheriff 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 providing a comprehensive communications system for the Marion County Sheriff.

SECTION 2. The sum of three hundred fifty-four thousand six hundred ten dollars (\$354,610) 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:

COUNTY SHERIFF	CRIME CONTROL FUND
50. Properties	\$ 354,610
<b>TOTAL INCREASES</b>	<b>\$ 354,610</b>

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

Unappropriated and unencumbered	CRIME CONTROL FUND
Crime Control Fund	\$ 354,610
<b>TOTAL REDUCTIONS</b>	<b>\$ 354,610</b>

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

PROPOSAL NO. 161, 1978. Mr. West reported that this proposal appropriates money to send a deputy sheriff to a five weeks' course on accident investigation at Northwestern University. Upon returning, the deputy will instruct other deputies on new procedures. The Council recessed to a Committee of the Whole at 9:50 p.m. for public hearing and reconvened at 9:51 p.m. Following motion duly made and seconded, Proposal No. 161, 1978, was adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

5 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. McGrath and Mr. Schneider.

Proposal No. 161, 1978, was retitled FISCAL ORDINANCE NO. 52, 1978, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 52, 1978**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional two thousand four hundred seventeen dollars (\$2,417) in the Marion County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General 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 2.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of paying expenses of training a deputy of the Marion County Sheriff at Northwestern University from a grant of the Department of Transportation.

SECTION 2. The sum of two thousand four hundred seventeen dollars (\$2,417) 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:

	COUNTY SHERIFF	COUNTY GENERAL FUND
21. Services Contractual		\$ 2,417
TOTAL INCREASES		\$ 2,417

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

	COUNTY GENERAL FUND
Unappropriated and unencumbered County General Fund	\$ 2,417
TOTAL REDUCTIONS	\$ 2,417



**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. 162, 1978. This proposal provides \$1,000 increase in the starting salary for a CETA secretary. The Council recessed to a Committee of the Whole at 9:52 p.m. for public hearing, and reconvened at 9:53 p.m. Following public hearing and discussion, Proposal No. 161, 1978, was adopted on the following roll call vote ; viz:

21 AYES: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

NO NOES.

8 NOT VOTING: *Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. McGrath, Mr. Miller and Mr. Schneider.*

Proposal No. 162, 1978, was retitled FISCAL ORDINANCE NO. 53, 1978, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 53, 1978**

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional one thousand sixty-two dollars (\$1,062) in the County General Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the County General 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 2.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of conforming the C.E.T.A. appropriation in the budget of the County Prosecutor to Purchase Order 77P-38223 under Title VI of the Comprehensive Employment and Training Act of 1973, as amended.

**SECTION 2.** The sum of one thousand sixty-two dollars (\$1,062) 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:

	COUNTY PROSECUTOR	COUNTY GENERAL FUND
10. Services Personal		\$ 1,062
TOTAL INCREASES		\$ 1,062

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

**COUNTY GENERAL FUND**

<b>Unencumbered and unappropriated</b>	
County General Fund	<u>\$ 1,062</u>
<b>TOTAL REDUCTIONS</b>	<u>\$ 1,062</u>

**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. 164, 1978. Reporting for the Public Safety & Criminal Justice Committee, Mr. West stated 1976 LEAA monies would fund the CSTA program until September when a 1978 LEAA grant would continue funding the program. The Council recessed to a Committee of the Whole at 9:55 p.m. for public hearing, and reconvened at 9:56 p.m. Proposal No. 164, 1978, was then adopted on the following roll call vote; viz:

18 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

7 NOES: Mr. Anderson, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. McGrath, Mr. Miller and Mr. Schneider.

4 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, and Mr. Rippel.

Proposal No. 164, 1978, was retitled FISCAL ORDINANCE NO. 54, 1978, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 54, 1978**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional thirty-four thousand nine hundred forty-nine dollars (\$34,949) in the Crime Control Fund for purposes of 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 federal grant 78E-102-15-101 to the Municipal Court.

**SECTION 2.** The sum of thirty-four thousand nine hundred forty-nine dollars (\$34,949) 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:

	MUNICIPAL COURT	CRIME CONTROL FUND
31.	Personnel	\$ 27,159
32.	Contractual Services	4,240
33.	Travel	200
35.	Operating Expense	3,350
	<b>TOTAL INCREASES</b>	<b>\$ 34,949</b>

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

	CRIME CONTROL FUND
Unappropriated and unencumbered	
Crime Control Fund	\$ 34,949
<b>TOTAL REDUCTIONS</b>	<b>\$ 34,949</b>

**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. 167, 1978. Mr. Miller, Chairman of the Administration Committee, reported for all committees which reviewed programs in this proposal. He then moved, seconded by Mr. Dowden, the following amendment:

#### CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 167, 1978, as follows:

In Section 5, strike line 4 — Weatherization \$25,000 — and change line 7, Committee Total from \$140,000 to \$115,000.

In Section 5, lines 9 and 10, delete the figure "\$16,832" and insert in lieu thereof the figure "\$13,000."

Throughout the entire proposal wherever the words and/or figures "seven hundred twenty-four thousand one hundred dollars (\$724,100)" appear, delete and insert in lieu thereof the words and/or figures "six hundred ninety-five thousand two hundred sixty-eight dollars (\$695,268)."

s/Donald W. Miller

Mr. Hawkins then moved, seconded by Mr. Howard, to amend Mr. Miller's amendment by reinstating the \$25,000. Discussion followed, during which Mrs. Brinkman and Mr. Howard supported the continuation of the weatherization program. Mr. Patterson commented that during committee meetings no information about that program was presented. Mr. Bob Cross, Division of Employment and Training, explained that deleting this program from the proposal would have the

effect of tabling and it could be submitted in another proposal at some future date. Mr. Hawkins' amendment to the amendment was then defeated on the following roll call vote; viz:

*12 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Pearce, Mr. Vollmer, and Mr. Walters.*

*17 NOES: Mr. Anderson, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera and Mr. West.*

Mr. Miller's motion to amend then carried on the following roll call vote; viz:

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

*11 NOES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters.*

Mr. Miller offered a second amendment, seconded by Mr. McGrath.

#### CITY-COUNTY COUNCIL MOTION

**Mr. President:**

**I move that City-County Council Proposal No. 167, 1978, be amended as follows:**

**In Section 5**

**(a) Under Administration Committee strike "Equal Housing Opportunity Office — \$90,000".**

**(b) Reduce Administration Committee Total to \$25,000**

**(c) Reduce ordinance total to \$605,268**

*s/Donald W. Miller*

Mr. Gene Neal, Executive Director of the Metropolitan Board of Realtors, spoke stating the Board endorses the Equal Housing program. Mr. West and Mrs. Chambers voiced their opposition to the amendment.

[Clerk's Note: The Chair called a five minute recess at 10:25 p.m. The Council reconvened at 10:45 p.m.]

Following the recess, Mr. Miller's second amendment to Proposal No. 167, 1978, was adopted on the following roll call vote; viz:

16 AYES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder and Mr. Tintera.

13 NOES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer, Mr. Walters and Mr. West.

The Council recessed to a Committee of the Whole at 10:55 p.m. for public hearing, and reconvened at 10:56 p.m. Proposal No. 167, 1978, As Amended, was then adopted on the following roll call vote; viz:

27 AYES: 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. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

2 NOES: Mr. Anderson and Mr. Schneider.

Proposal No. 167, 1978, As Amended, was retitled FISCAL ORDINANCE NO. 55, 1978, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 55, 1978**

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional six hundred ninety-five thousand two hundred sixty-eight dollars (\$695,268) in the Community Services Programs Fund for purposes of the Community Services Division of the Department of Administration and reducing the unappropriated and unencumbered balance in the Community Services Programs 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 1.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of additional C.D.A. grants.

SECTION 2. The sum of six hundred ninety-five thousand two hundred sixty-eight dollars (\$695,268) 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:

	DEPARTMENT OF ADMINISTRATION	COMMUNITY SERVICES
	COMMUNITY SERVICES DIVISION	PROGRAM FUND
21.	Contractual Services	\$ 695,268
	TOTAL INCREASES	\$ 695,268

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

**COMMUNITY SERVICES  
PROGRAMS FUND**

Unappropriated and unencumbered	
Community Services Programs Fund	\$ 695,268
<b>TOTAL REDUCTIONS</b>	<b>\$ 695,268</b>

**SECTION 5.** The contractual expenditures for which appropriations are made in Section 3 are subject to council committee review and are allocated as follows:

<b>ADMINISTRATION COMMITTEE</b>	
Citizens Forum Better Neighborhood Program	\$ 25,000
Committee Total	\$ 25,000
<b>COMMUNITY AFFAIRS COMMITTEE</b>	
Fire Escape — Southeast Multi-Service Center	\$ 13,000
Committee Total	\$ 13,000
<b>METROPOLITAN DEVELOPMENT COMMITTEE</b>	
Review of Air Quality Plan	\$ 50,000
Parks Planning and Design Unit	29,250
Urban Homesteading	23,018
Community Inter-faith Housing	
Emergency Home Program	90,000
Supplemental Community Development	
Planning	25,000
Committee Total	\$ 217,268
<b>MUNICIPAL CORPORATIONS COMMITTEE</b>	
Health Service Neighborhood	\$ 350,000
Committee Total	\$ 350,000
 <b>ORDINANCE TOTAL</b>	 <b>\$ 695,268</b>

No contract for these program allocations shall be executed until by subsequent fiscal ordinance or council resolution, as required, the programs are specifically authorized by the council.

**SECTION 6.** The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by the 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 Controller, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

**SECTION 7.** 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. 16, 1978.** Mr. West stated this proposal was a complete revision of the penal code so that it conforms with Indiana state law. He then moved, seconded by Mr. Tintera, to strike Sec. 20-187 concerning the discharging of firearms within the city. The motion carried on the following roll call vote; viz:

26 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

3 NOT VOTING: Mr. Clark, Mr. Rippel and Mr. Schneider.

In order that each Council member could read the committee recommendations, Mr. Miller moved, seconded by Mr. Rippel, to postpone action on this proposal until the meeting of May 8, 1978. The motion carried by unanimous voice vote.

PROPOSAL NO. 163, 1978. The transfer of \$7,000 in this proposal was for the up-grading of salaries for the Dog Pound Division. Following a brief discussion, Proposal No. 163, 1978, was adopted on the following roll call vote; viz:

19 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, M. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

4 NOES: Mrs. Coughenour, Mr. Durnil, Mr. Miller and Mr. Rippel.

6 NOT VOTING: Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mr. Dowden, Mr. Kimbell and Mr. Schneider.

Proposal No. 163, 1978, was retitled FISCAL ORDINANCE NO. 56, 1978, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 56, 1978**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) transferring and appropriating seven thousand dollars (\$7,000) in the Consolidated County Fund for purposes of the Dog Pound Division, Department of Public Safety and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of increased salary expense.

SECTION 2. The sum of seven thousand dollars (\$7,000) be, and is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY		
DOG POUND DIVISION		CONSOLIDATED COUNTY FUND
10.	Personal Services	\$ 7,000
	TOTAL INCREASES	\$ 7,000

SECTION 4. The said increased appropriation is funded by the following reduction:

DEPARTMENT OF PUBLIC SAFETY		
DOG POUND DIVISION		CONSOLIDATED COUNTY FUND
50.	Properties	\$ 7,000
	TOTAL REDUCTIONS	\$ 7,000

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

PROPOSAL NO. 100, 1978. The Public Safety & Criminal Justice Committee report was given by Mr. West. This proposal amends the code to provide for the towing of vehicles from the public right-of-way. Mr. West then offered the following amendment:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

**I move to amend Proposal No. 100, 1978, by deleting the crosshatched sections and inserting the bracketed sections as outlined on page two of the attached Proposal No. 100, 1978, Committee Recommendations.**

**s/Stephen R. West**

The motion carried by unanimous voice vote. Mr. Tintera then offered the following amendment:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

**I move that City-County Council Proposal No. 100, 1978, be amended as follows:**

**Addition to line 15, Section 4, first sentence:**

**"but that lot shall not be operated by any Marion County governmental agency."**

**s/George B. Tintera**

The motion carried by voice vote. Proposal No. 100, 1978, As Amended, was then adopted on the following roll call vote; viz:

*25 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

*2 NOES: Mr. Howard and Mr. Rippel.*

*2 NOT VOTING: Mrs. Brinkman and Mr. Cantwell.*

Proposal No. 100, 1978, As Amended, was retitled GENERAL ORDINANCE NO. 58, 1978, and reads as follows:



CITY—COUNTY GENERAL ORDINANCE NO. 58, 1978

A GENERAL ORDINANCE amending Chapter 29, Article VI of the Code of Indianapolis and Marion County to add new provisions for the removal from public property of vehicles which constitute a traffic hazard and are a public nuisance.

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

SECTION 1. The following sections of Chapter 29 of the Code of Indianapolis and Marion County are hereby repealed:

- Sec. 29-370
- Sec. 29-371
- Sec. 29-372
- Sec. 29-373
- Sec. 29-374

SECTION 2. The Code of Indianapolis and Marion County be and is hereby amended by adding a new Section 29-367, to read as follows:

Sec. 29-367. Purpose.

The purpose of this division shall be as stated in Sec. 29-385.

SECTION 3. The Code of Indianapolis and Marion County be, and is hereby, amended by adding a new Section 29-370, to read as follows:

Sec. 29-370. Definitions.

As used in this division, the following terms shall have the meanings ascribed to them in this section:

- (1) Vehicle shall mean a machine propelled by power other than human power, designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery, and shall include, without limitation, "automobile," "truck," "trailer," "motorcycle," "tractor," "buggy" and "wagon."
- (2) Wrecker shall mean any person engaged in the business of offering the services of a towing vehicle for use in removing, pulling, lifting or pushing another vehicle which is disabled, and shall include the employees, agents and towing vehicles used in the business of providing towing services.
- (3) Person shall mean all natural persons, firms, partnerships and corporations.
- (4) Director shall mean the director of the Department of Public Safety of the City of Indianapolis.
- (5) Safety Board shall mean the Board of Public Safety created under IC 18-4-3-12 (Acts 1969, Ch. 173, Sec. 1201).
- (6) Officer means any member of the Indianapolis Police Department.
- (7) Franchise means the authority within a designated zone to tow vehicles on behalf of the City of Indianapolis.
- (8) Franchise fee means that certain sum of money paid by the owner, operator, or authorized representative of same, of a towed vehicle by the franchised wrecker for remittance to the City of Indianapolis, as a portion of the towing fee.
- (9) Tow means the act of lifting, pushing, pulling or removing a vehicle.
- (10) Impoundment means the act of taking temporary custody of a vehicle and towing it from a public street, highway or righty-of-way to an authorized secured area.
- (11) Towing fee means that certain sum of money charged the owner, operator or authorized representative of same, of a towed vehicle.
- (12) Storage fee shall mean that certain sum of money charged the owner, operator or authorized representative of same, for the safe-keeping of the impounded vehicle.
- (13) Police hold means an order from the Police Department to impound a vehicle because of its suspected involvement in criminal activity.
- (14) Accident means a collision of vehicles or a vehicle and an object on a public street, highway, righty-of-way, or publicly owned property.

**SECTION 4.** The Code of Indianapolis and Marion County be, and is hereby amended by adding a new Section 29-371, to read as follows:

**Sec. 29-371.** Removal of vehicles; release.

Any officer, upon discovering a vehicle parked or left standing so as to constitute a public nuisance, may cause the vehicle to be impounded. Impounded vehicles shall be released either upon payment by the owner, operator or authorized representative of same, of the fees charged for impoundment and storage, or upon order of the Chief of Police or the Director, or upon order of any court having jurisdiction over the vehicle.

All vehicles impounded by reason of being wrecked, stolen or otherwise coming into the custody of the police department, and those impounded for parking violations, may be impounded in lots maintained for such purposes by franchised wreckers or in a lot authorized and chosen by the Director, but that lot shall not be operated by any Marion County governmental agency. The attendant for any central lot shall collect the towing fees for the franchised wreckers and shall remit same to the wreckers monthly, along with monthly reports to the director in such form as he shall prescribe.

**SECTION 5.** The Code of Indianapolis and Marion County be, and is hereby, amended by adding a new Section 29-372, to read as follows:

**Sec. 29-372.** Procedure for selecting wreckers.

(1) Franchise; zones.

The Director shall invite bids from wreckers for providing franchised towing services on the geographic basis of zones or on some other basis of distribution of towing services within the police special service district established by the Director for the efficient organization of the removal of vehicles. The Director shall establish specifications for the wrecker's towing vehicles, equipment, storage lot and insurance, and shall include same in all invitations to bid. Said specifications for bids shall be designed by the Director and the Chief of Police and approved by the Board of Public Safety. Bids shall be submitted according to said specifications. The Director may award each towing contract to the lowest and best bid received or he may reject any or all bids received and call for new bids. A written contract shall be executed between the Board of Public Safety and the successful bidders.

(2) Franchise fee.

A franchise fee shall be set by the Board of Public Safety and included in the specifications for bids. Funds realized from the collection of such fees shall be deposited in the police general fund.

**SECTION 6.** The Code of Indianapolis and Marion County be, and is hereby, amended by adding a new Section 29-373, to read as follows:

**Sec. 29-373.** Procedure for removing and impounding vehicles.

(1) Vehicles involved in an accident may be towed by any wrecker of the owner's or operator's choosing, provided that such wrecker may be summoned promptly to avoid creating a traffic hazard. If the officer on the scene of the accident determines a traffic hazard has been created by the delay in the arrival of the owner's or operator's chosen wrecker, or if the owner or operator does not care to select a wrecker of his own choice, the officer may declare the vehicle a traffic hazard, and it shall become subject to the officer's order to the contract or other city authorized wrecker to remove it from the scene. However, the vehicle shall not be subject to impoundment, but shall be towed to the destination selected by the owner or operator. If the owner or operator is under a disability by reason of injury or arrest, the vehicle shall be subject to impoundment upon order of the officer on the scene.

(2) Vehicles recovered as stolen or which come into the custody of the police department for other reasons shall be subject to impoundment upon order of the officer having control of the vehicle.

(3) All other vehicles subject to removal by the City, including those in violation of parking ordinances, may be towed by the franchised wrecker for each designated zone, upon notification and order by an officer, and may be impounded and stored pursuant to the provisions of Sec. 29-371.

**SECTION 7.** The Code of Indianapolis and Marion County be, and is hereby, amended by adding a new Section 29-374, to read as follows:

**Sec. 29-374. Communications.**

The Chief of Police may authorize in writing each franchised wrecker to install police frequency monitor radios in its trucks for use in response to accident scenes and the locations of improperly parked vehicles. The franchised wrecker's tow trucks may only use such radios to respond to direct orders from the central police dispatcher.

**SECTION 8.** The Code of Indianapolis and Marion County be, and is hereby, amended by adding a new Section 29-375, to read as follows:

**Sec. 29-375. Unauthorized wrecker at scene.**

(1) It shall be unlawful for any wrecker to proceed to the scene of an accident for solicitation purposes without having been summoned by either party involved in the accident or an officer at the scene of the accident. Such unauthorized response is declared a traffic hazard as harmful to the health, welfare and safety of the people of the City, and, as such, those wreckers so responding are declared public nuisances and subject to impoundment procedures, upon order of the officer at the scene of the accident.

(2) It shall be unlawful for any wrecker to monitor for profit police frequency radios installed in tow trucks without having written authorization for police monitor radio installation by the Chief of Police

**SECTION 9.** The Code of Indianapolis and Marion County be, and is hereby amended, by adding a new Section 29-376, to read as follows:

**Sec. 29-376. Liability of City and Wrecker.**

The City shall not be liable for any loss or damage which may occur to any vehicle which is removed pursuant to the provisions of this division. The wrecker shall indemnify and hold harmless the City, its officers, agents and employees from any loss, claim, judgment or damages arising from the removal and storage of vehicles pursuant to this ordinance. The wrecker shall have sole responsibility for any articles of personal property which may be contained in any vehicle at the time of its removal; such articles of personal property shall not be held by the contract wrecker in lieu of the service charges authorized herein but shall be returned by him or his agents to the owner thereof upon sufficient identification and proof of ownership. The officer directing the removal of a vehicle shall verify what personal property in plain view is contained in it prior to its removal, report such articles to police headquarters and/or on the incident report, and if possible, remove all property of value to the police department property room pursuant to existing police department regulations.

If certain items of personal property cannot be stored by the police department, the wrecker company shall store said items, and the officer in charge shall furnish a copy of the list of said items to the wrecker truck operator for the use of the wrecker service and said list prepared by the officer shall be signed by the wrecker operator after the wrecker operator has verified the existence of the items so listed.

**SECTION 10.** The Code of Indianapolis and Marion County be, and is hereby, amended by adding a new Section 29-377, to read as follows:

**Sec. 29-377. Responsibility of wrecker at accident site.**

A wrecker directed by an officer or the police dispatcher to remove vehicles from the scene of an accident shall clean the street or accident location of all debris caused by the accident.

**SECTION 11.** The Code of Indianapolis and Marion County be, and is hereby amended, by adding a new Section 29-378, to read as follows:

**Sec. 29-378. Emergency warning lights.**

No wrecker shall use emergency warning lights of any color at any time, but may use illuminated amber lights at the scene of an accident.

**SECTION 12. Severability.**

If a provision of this ordinance is held invalid, the invalidity shall not affect the other provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared severable.

**SECTION 13.** This ordinance shall be in full force and effect from and after compliance with IC 18-4-5-2.

PROPOSAL NO. 178, 1978. Since this proposal concerning the defeat of the tennis stadium bond was no longer pertinent, after motion duly made and seconded, it was stricken by unanimous voice vote.

PROPOSAL NO. 168, 1978. Mr. Schneider reported for the County & Townships Committee that this proposal authorized eight employees for the Center Township Trustee. Due to an error, these employees had already been employed by that office but had not been confirmed by the Council. Following discussion, Proposal No. 168, 1978, was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

2 NOES: Mr. Dowden and Mr. Miller.

4 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mr. Clark and Mrs. Journey.

Proposal No. 168, 1978, was retitled GENERAL ORDINANCE NO. 59, 1978, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 59, 1978**

**A GENERAL ORDINANCE amending City-County General Ordinance No. 61, 1977, authorizing additional employees for the Center Township Trustee financed by C.E.T.A. grants.**

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

**SECTION 1. Section 1 of City-County General Ordinance No. 61, 1977, be amended by adding additional lines as follows:**

POSITION	C.E.T.A. PERSONNEL		TOTAL COMPENSATION
	NUMBER PERSONNEL	ANNUAL RATE	
Housekeeping Supervisor	1	\$ 10,000	\$ 10,000
Maintenance Supervisor	1	10,000	10,000
Maintenance Men	3	7,500	22,500
Housekeepers	3	6,504	19,512
<b>TOTAL</b>	<b>8</b>		<b>\$ 62,012</b>

**SECTION 2. This ordinance shall be in full force and effect from and after adoption, retroactive to January 1, 1978.**

PROPOSAL NO. 137, 1978. This proposal if adopted would repeal the section of the Code which declared certain debt-adjusting businesses a nuisance. Following discussion, the proposal was adopted on the following roll call vote; viz:

18 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Cantwell, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tintera, Mr. Vollmer, and Mr. Walters.

10 NOES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mrs. Coughenour, Mr. Hawkins, Mr. Kimbell, Mr. Pearce, Mr. Rippel and Mr. Tinder.

1 NOT VOTING: Mr. West.

Proposal No. 137, 1978, was retitled GENERAL ORDINANCE NO. 60, 1978, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 60, 1978**

**A GENERAL ORDINANCE repealing Section 19—5 of the "Code of Indianapolis and Marion County, Indiana" wherein certain debt—adjusting businesses were declared a nuisance.**

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

**SECTION 1. Section 19—5 of the "Code of Indianapolis and Marion County, Indiana" be, and is hereby, repealed.**

**SECTION 2. This ordinance shall be effective upon adoption.**

PROPOSAL NO. 166, 1978. Mr. Miller recommended the adoption of this proposal which appoints Mr. Don Christensen to the Human Rights Commission. In order to study Mr. Christensen's resume more thoroughly, Mr. Boyd moved, seconded by Mrs. Chambers, to table this proposal. The motion failed for a lack of a majority on the following roll call vote; viz:

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

14 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart and Mr. West.

1 NOT VOTING: Mrs. Brinkman.

Following discussion concerning Mr. Christensen's party affiliation, Mr. Miller moved, seconded by Mr. Clark, for the adoption of Proposal No. 166, 1978. The motion carried on the following roll call vote; viz:

17 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder and Mr. West.

11 NOES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Tintera, Mr. Vollmer and Mr. Walters.

1 NOT VOTING: Mr. Cantwell.

Proposal No. 166, 1978, was retitled COUNCIL RESOLUTION NO. 12, 1978, and reads as follows:

**CITY—COUNTY COUNCIL RESOLUTION NO. 12, 1978**

**A COUNCIL RESOLUTION appointing a member of the Human Rights Commission.**

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

**SECTION 1. As a member of the Commission on Human Rights, the Council appoints:**  
**Don E. Christensen**

**SECTION 2. The foregoing appointment shall be for a term of three (3) years and until his respective successor is appointed.**

PROPOSAL NOS. 193 – 199, 1978. No action was taken on Proposal Nos. 193–199, 1978, and they were retitled REZONING ORDINANCES NOS. 54–60, 1978, and read as follows:

**REZONING ORDINANCE NO. 53, 1978. 78-Z-8 WAYNE TOWNSHIP COUNCILMANIC DISTRICT NO. 1**

**9050 WEST 10TH STREET, INDIANAPOLIS**

West Glen Realty Company by Henry Y. Dein, Attorney, One Indiana Square No. 1650 requests rezoning of 3.50 acres, being in D-3 district, to C-3 classification to permit a neighborhood shopping center.

**REZONING ORDINANCE NO. 54, 1978. 78-Z-21 WARREN TOWNSHIP COUNCILMANIC DISTRICT NO. 12**

**1635 NORTH CAMPBELL AVENUE, INDIANAPOLIS**

Ralph T. Streeter, 3131 East 38th St. by Robert T. Wildman, Attorney, One Indiana Square No. 2450 requests rezoning of 0.70 acre, being in D-5 district, to C-1 classification to permit a parking lot.

**REZONING ORDINANCE NO. 56, 1978. 78-Z-35 PIKE TOWNSHIP COUNCILMANIC DISTRICT NO. 1**

**4021 WEST 71ST STREET, INDIANAPOLIS**

John Modrall, Modrall Insurance Agency by Henry Y. Dein, Attorney, One Indiana Square No. 1650 requests rezoning of 0.71 acre, being in A-2 district, to C-1 classification to permit an insurance agency.

**REZONING ORDINANCE NO. 57, 1978. 78-Z-39 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 4**

**5220 EAST 64TH STREET, INDIANAPOLIS**

Engineered Models Corporation by Clifford H. Dietz, President, 6450 State Road 37 North by Carl J. Meyer, Attorney, One Indiana Square No. 2430 requests rezoning of 2.84 acres, being in D-3 district, to C-1 classification to permit an office complex.

REZONING ORDINANCE NO. 58, 1978. 78-Z-41 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
9341 BURK ROAD, INDIANAPOLIS

Charlene B. Keller and Paul H. Buchanan, Jr. by Bruce Cordingley, Attorney, 10th Floor, 111 Monument Circle request rezoning of 12.49 acres, being in I-2-S district, to SU-5 classification to permit the construction of a radio tower and accessory building.

REZONING ORDINANCE NO. 59, 1978. 78-Z-42 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
2130 NATION AVENUE, INDIANAPOLIS

Southside Baptist Church of Indiana, Inc., 1401 East Pleasant Run Parkway, South Drive by Reverend Purvis Earl Lawson, President, requests rezoning of 15.12 acres, being in D-4 district, to SU-1 classification to permit church uses.

REZONING ORDINANCE NO. 60, 1978. 78-Z-47 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 11  
2950 NORTH TEMPLE AVENUE, INDIANAPOLIS

Department of Metropolitan Development, Division of Urban Renewal by David M. Whitcher, Assistant Administrator, 1942 City-County Building requests rezoning of 0.36 acre, being in D-8 district, to SU-1 classification to permit parking for the church.

### ANNOUNCEMENTS AND ADJOURNMENT

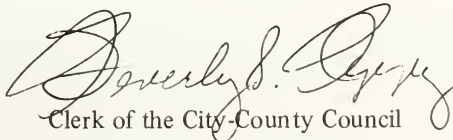
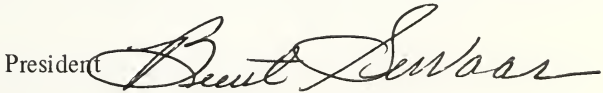
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:55 p.m.

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 24th day of April, 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)