

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

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:06 p.m., Monday, October 23, 1978. President SerVaas in the chair. Councilman Allen Durnil opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

PRESENT: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, 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.

ABSENT: Mrs. Chambers.

CORRECTION OF JOURNAL

The Chair called for additions or corrections to the Journal of September 25, 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, October 23, 1978, at 7:00 p.m., the purpose of such meeting being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

s/Beurt SerVaas, President
City-County Council

October 10, 1978

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

Ladies and Genetlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on October 12, 1978, and October 19, 1978, a copy of a NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 419, 422, and 432, 1978, to be held on Monday, October 23, 1978.

Respectfully,

s/Beverly S. Rippy
City Clerk

October 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:

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 resolutions:

FISCAL ORDINANCE NO. 108, 1978, amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 transferring and appropriating five hundred twenty-five thousand one hundred dollars in the Transportation General Fund (Motor Vehicle Highway Tax) for purposes of the snow control program, Department of Transportation, and reducing certain other appropriations for that department.

GENERAL ORDINANCE NO. 97, 1978, amending the "Code of Indianapolis and Marion County" by modifying provisions dealing with personnel.

GENERAL ORDINANCE NO. 98, 1978, creating a loading zone at 500 North Meridian Street.

GENERAL ORDINANCE NO. 99, 1978, designating the speed limit on Morris Street between Belmont and Washington Streets as 35 miles per hour.

GENERAL ORDINANCE NO. 100, 1978, prohibiting parking at all times on Thompson Road between Meridian Street and Keystone Avenue.

GENERAL ORDINANCE NO. 101, 1978, designating the speed limit on 21st Street between Sherman Drive and Shadeland Avenue as 35 miles per hour.

GENERAL ORDINANCE NO. 102, 1978, establishing intersection controls at certain intersections and designating the speed limit on a portion of Georgetown Way as 40 miles per hour.

COUNCIL RESOLUTION NO. 16, 1978, authorizing the appropriate officers of the City of Indianapolis to appeal to the State Board of Tax Commissioners for an increase in the tax rate and levy as fixed by the County Board of Tax Adjustment and for an approval of a tax rate and levy sufficient to fund certain appropriations as originally submitted to the Marion County Board of Tax Adjustment.

SPECIAL RESOLUTION NO. 17, 1978, commending President Carter.

SPECIAL RESOLUTION NO. 18, 1978, commending the Tus kegee Alumni Association for its continued service to the Tuskegee Institute.

SPECIAL RESOLUTION NO. 19, 1978, approving and authorizing certain actions and proceedings with respect to proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III
MAYOR

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

PROPOSAL NO. 462, 1978. Councilman Howard introduced and read this proposal designating November 11, 1978, as Crispus Attucks Athletic Alumni Association Day. After motion duly made and seconded, the proposal was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 20, 1978, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 20, 1978

A SPECIAL RESOLUTION proclaiming November 11, 1978, as Crispus Attucks Athletic Alumni Association Day.

WHEREAS, the Crispus Attucks Athletic Alumni Association will have its annual testimonial service on Saturday, November 11, 1978, at the Atkinson Hotel; and,

WHEREAS, the associates will honor its distinguished graduate, Graham Martin; and,

WHEREAS, Crispus Attucks has produced outstanding athletes and fine American citizens; now, therefore:

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

SECTION 1. November 11, 1978, is hereby proclaimed as Crispus Attucks Athletic Alumni Association Day and all our citizens are urged to recognize the contribution that the Crispus Attucks Athletic Alumni Association has made to the community.

BOYD RESOLUTION. Councilman Boyd introduced and read a proposal entitled: "A Proposal for a Council Resolution directing the Public Safety & Criminal Justice Committee of the Indianapolis City-County Council to investigate certain practice of the Indianapolis Police Department and the Citizens Complaint Office. As requested by Mr. Kimbell, Mr. West explained that he was unable to reach any of the concerned parties connected with the Hardy and Smith cases as to what the facts were. After discussion during which Mr. Patterson and Mr. Tinder mentioned their disagreement with some of the language in the proposal, Mr. Clark moved, seconded by Mr. Tintera, to remove any language which could be considered opinion from the proposal. The motion carried by unanimous voice vote. The Chair then assigned the proposal Proposal No. 470, 1978. The proposal

as amended was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 18, 1978, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 18, 1978

A COUNCIL RESOLUTION directing the Public Safety and Criminal Justice Committee of the Indianapolis City-County Council to investigate certain practices of the Indianapolis Police Department and the Citizens Complaint Office.

WHEREAS, in the cases of Lises J. Hardy and Edward Lynn Smith, the Indianapolis Police Department has shown gross negligence of procedure and little concern for due process in citizens rights; now, therefore:

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

SECTION 1. The Indianapolis City-County Council constitute its Public Safety and Criminal Justice Committee as an investigation committee with subpoena power (as authorized by Chapter 2, Art. II, Div. 2, Rule 3, Sec. 2-85 of the Code of Indianapolis and Marion County, Indiana) to investigate certain practices and operational procedures of the Indianapolis Police Department and the Citizen Complaint Office.

SECTION 2. Such committee be instructed to specifically address the following issues:

1. Considering that the arresting officers were White, the arrested adult and child both Black, and the community integrated, did the officers act with reasonable sensitivity or did they overact relative to the extremely mild nature of the circumstances. What is the adequacy of the formal training and guidelines available to officers concerning their response to these kinds of situations. Did the principle officer act within or without accepted procedures of the Department?
2. The complainants appeared in court on several occasions only to be told that the arresting officer had not found it convenient to be there and that they would have to return. To what degree is this typical of the handling of similar cases? What can be done to protect innocent citizens from the expenses and inconvenience of this type of capriciousness.
3. Although the complainants explicitly followed the established procedure for filing a grievance with the Citizens Complaint Office, they were never shown the courtesy of even a routine response. To what degree is this typical of the handling of such complaints? What can be done to insure that there is reasonable turn around time within the citizen grievance process?
4. Timely, reasonable, and formal request for information was made of Chief of Police, Eugene Gallagher, by the Councilman in whose district the incident occurred. The response was unsatisfactory in the Councilman's opinion. What guidelines are there (or should there be) concerning a Councilperson's access to information and the responsibility of the Chief of Police in making it available?

SECTION 3. The Public Safety and Criminal Justice Committee will make its findings known at the December 11, 1978, meeting of the City-County Council.

INTRODUCTION OF GUESTS

Councilman Howard introduced independent cab drivers in favor of Proposal No. 437, 1978. Councilman Durnil introduced the President of the Irvington Community Council, Patricia Hawkins, and her husband, Charles Hawkins. Mr. SerVaas introduced the Mayor of Soweto, South Africa, Mr. David Thebehali. Mr. Thebehali gave a few brief remarks concerning relations between the United States and South Africa.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 436, 1978. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for A Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) transferring and appropriating fourteen thousand three hundred dollars (\$14,300) in the Consolidated County Fund for purposes of the Legal Division, Department of Administration and reducing certain other appropriations for that division;" and the President referred it to the Administration Committee.

PROPOSAL NO. 437, 1978. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance for an amendment to the "Code of Indianapolis and Marion County" to provide for approval by the Controller of any contract or agreement by the owner of a taxicab to provide exclusive taxicab service;" and the President referred it to the Administration Committee.

PROPOSAL NO. 438, 1978. Introduced by Mr. Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the City-County General Ordinance No. 85, 1978, authorizing additional employees for the Center Township Trustee financed by CETA grants;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 439, 1978. Introduced by Councilman Durnil. 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 twenty-three thousand dollars (\$223,000) in the Consolidated County Fund for purposes of the Division of Planning and Zoning, Department of Metropolitan Development and reducing the unappropriated and unencumbered balance in the Consolidated County Fund;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 440, 1978. Introduced by Mr. Durnil. 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) transferring and appropriating one hundred twenty-five thousand dollars (\$125,000) in the Redevelopment General Fund for purposes of Urban Renewal Division, Department of Metropolitan Development and reducing certain other appropriations for that division;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 441, 1978. Introduced by Mr. Gilmer. 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) transferring and appropriating forty-five thousand dollars (\$45,000) in the Park General Fund for purposes of the Department of Parks & Recreation and reducing certain other appropriations for that department;" and the President referred it to the Parks & Recreation Committee.

PROPOSAL NO. 442, 1978. Introduced by Councilman Gilmer. 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 seven thousand five hundred dollars (\$7,500) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund;" and the President referred it to the Parks & Recreation Committee.

PROPOSAL NO. 443, 1978. Introduced by Councilman 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) transferring and appropriating two thousand five hundred dollars (\$2,500) in the Consolidated County Fund for purposes of the Weights & Measures Division, Department of Public Safety and reducing certain other appropriations for that division;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 444, 1978. Introduced by Mrs. Coughenour. 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) transferring and appropriating one thousand five hundred dollars (\$1,500) in the City Market Fund for purposes of the City Market Division, Department of Public Works, and reducing certain other appropriations for that division;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 445, 1978. Introduced by Mrs. Coughenour. 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 three million fifty thousand seven hundred sixty-one dollars (\$3,050,761) in the Sanitation General Fund for purposes of the Sanitation Division, Department of Public Works and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Sanitation General Fund;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 446, 1978. Introduced by Councilman Clark. The Clerk read the proposal entitled: "A Proposal for a General Ordinance levying against the owners of non-local government property benefiting from the furnishing of police protection a charge which is equivalent to the expense of furnishing such police protection as provided in IC 18-1-1.5-4 and 18-1-1.5-20 and fixing the amount of such charge;" and the President referred it to the Rules & Public Policy Committee.

PROPOSAL NO. 447, 1978. Introduced by Councilman Clark. The Clerk read the proposal entitled: "A Proposal for a General Ordinance levying against the owners of non-local government property benefiting from the furnishing of fire protection a charge which is equivalent to the expense of furnishing such fire protection as provided in IC 18-1-1.5-4 and 18-1-1.5-20 and fixing the amount of such charge;" and the President referred it to the Rules & Public Policy Committee.

PROPOSAL NO. 448, 1978. Introduced by Councilman SerVaas. The Clerk read the proposal entitled: "A Proposal for a Council Resolution establishing the dates of regular meetings for 1979;" and the President referred it to the Rules & Public Policy Committee.

PROPOSAL NO. 449, 1978. There was no proposal assigned this number.

PROPOSAL NO. 450, 1978. Introduced by Councilman McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection control at a certain intersection. [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 451, 1978. Introduced by Councilman McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing an intersection control at a certain intersection [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 452, 1978. Introduced by Councilman McGrath. 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. 453, 1978. Introduced by Councilman McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizing the removal of parking meters on Market Street between Alabama and New Jersey Streets [Amends Code Section 29-268];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 454, 1978. Introduced by Council Members Brinkman, Boyd, and Coughenour. The Clerk read the proposal entitled: "A Proposal for a Council Resolution requesting the Administration and Municipal Corporations Committees of the City-County Council to meet jointly to discuss the recent action of the Indianapolis Airport Authority with respect to taxicab operators;" and the President referred it to the Administration and Municipal Corporations Committees.

PROPOSAL NO. 455, 1978. Introduced by Councilman SerVaas. The Clerk read the proposal entitled: "A Proposal for a Council Resolution confirming appointments to the Marion County Data Processing Board;" and the President referred it to the Committee of the Whole.

PROPOSAL NOS. 456 – 457, 1978. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on October 16, 1978;" and the President referred them to the Committee of the Whole to be heard under Special Orders – Final Adoption.

PROPOSAL NO. 458, 1978. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a Council Resolution authorizing the allocation of public service employment expenditures from federal grants pursuant to the Comprehensive Employment and Training Act of 1973, as amended;" and the President referred it to the Administration Committee.

PROPOSAL NO. 459, 1978. Introduced by Councilwoman Chambers. The Clerk read the proposal entitled: "A Proposal for a Council Resolution expressing the consensus of the City-County Council with respect to the Soliders and Sailors Monument, commonly referred to as the 'Circle';" and the President referred it to the Committee of the Whole.

PROPOSAL NO. 460, 1978. Introduced by Councilwoman Chambers. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the "Code of Indianapolis and Marion County", by adding a new Section 29-225 prohibiting traffic on Monument Circle;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 461, 1978. Introduced by Mr. Pearce. The Clerk read the proposal entitled: "A Proposal for a Council Resolution authorizing the feasibility of establishing public spay-neuter clinics;" and the President referred it to the Community Affairs Committee at the request of the sponsor. Mr. Tintera recommended notifying dog pound officials of the committee meeting.

PROPOSAL NO. 463, 1978. Introduced by Councilman 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) transferring and appropriating an additional one thousand one hundred ninety dollars (\$1,190) in the County General Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that office;" and the President referred it to the County & Townships Committee.

PROPOSAL NOS. 464 – 469, 1978. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on October 19, 1978;" and the President referred them to the Committee of the Whole to be heard under Special Orders – Final Adoption.

MODIFICATIONS OF SPECIAL ORDERS

PROPOSAL NO. 329, 1978. At the request of Mr. Bayt, consent was given to advance Proposal No. 329, 1978, on the agenda. Councilman McGrath, Chairman of the Transportation Committee, reported that the Metropolitan Development Department opposed the passage of this proposal permitting parking on East Washington Street between Southeastern and Sheridan Avenues. A flow of traffic investigation conducted by the Department of Transportation showed that traffic was too heavy to warrant the removal of the parking prohibition. The Transportation Committee recommended striking the proposal. Mr. Walters then moved, seconded by Mr. Howard, to table the committee recommendation to strike. The motion carried on the following roll call vote; viz:

14 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Schneider, Mr. Vollmer, Mr. Walters and Mr. West.

12 NOES: Mr. Anderson, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. SerVaas, Mrs. Stewart, Mr. Tinder and Mr. Tintera.

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

Mr. Pearce then moved, seconded by Mr. Howard, the following amendment:

AMENDMENT TO THE LIMITED PARKING ON EAST WASHINGTON STREET

No Standing, No Stopping, No Parking on the North Side of E. Washington Street from 6:00 a.m. to 9:00 p.m.

No Standing, No Stopping, No Parking on the South Side of E. Washington Street from 3:00 p.m. to 6:00 p.m.

A two hour (2) time limit at all times during the noon rush hours Monday through Sunday.

s/Thomas E. Pearce

The motion carried on the following roll call vote; viz:

16 AYES: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Schneider, Mr. Vollmer, Mr. Walters and Mr. West.*

12 NOES: *Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. SerVaas, Mrs. Stewart, Mr. Tinder and Mr. Tintera.*

Mr. Bayt then moved, seconded by Mr. Tintera, to call the question. The motion carried by unanimous voice vote. Proposal No. 329, 1978, As Amended, was then adopted on the following roll call vote; viz:

15 AYES: *Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Schneider, Mr. Vollmer, Mr. Walters and Mr. West.*

13 NOES: *Mr. Anderson, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. SerVaas, Mrs. Stewart, Mr. Tinter and Mr. Tintera.*

[Clerk's Note: Proposal No. 329, 1978, was reconsidered at a later time in the meeting; however, the action of the Council will be recorded in this portion of the minutes. Due to his health, Councilman Bayt was excused from the meeting and was not in attendance during reconsideration of Proposal No. 329, 1978.]

Because Proposal No. 329, 1978, As Amended, would have the effect of permitting parking on Washington Street from Meridian Street to County Line Road, Mr. Dowden, who had voted with the prevailing side, moved, seconded by Mr. West, who had also voted with the prevailing side, to reconsider the proposal. The motion carried on the following roll call vote; viz:

15 AYES: *Mr. Anderson, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera and Mr. West.*

8 NOES: *Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Howard, Mrs. Journey, Mr. Walters and Mr. Vollmer.*

4 NOT VOTING: *Mrs. Coughenour, Mr. Hawkins, Mr. Pearce, and Mr. Schneider.*

Mr. Dowden then moved, seconded by Mr. Tintera, to refer Proposal No. 329, 1978, to the Transportation Committee. The motion carried on the following roll call vote; viz:

17 AYES: Mr. Anderson, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera and Mr. West.

9 NOES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Vollmer and Mr. Walters.

1 NOT VOTING: Mr. Cantwell.

PROPOSAL NO. 437, 1978. By consent, the rules were suspended and the proposal was heard before the Committee of the Whole. Mr. Miller explained that the necessity of this proposal stems from the sometimes poor quality of services provided by taxicab drivers at the airport and Airport Authority's attempt to have an exclusive contract with one cab company. He then moved, seconded by Mr. Kimbell, the following amendment:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 437, 1978, as follows:

SECTION 1, Line 10:

Delete the word "said" and insert the words "any such".

Delete the "." after the word "agreement" and add the following:

"which is entered into by the owner and any other said person; corporation, public or private; partnership; business or other organization which provides public services or public accomodatons."

SECTION 1, Line 12:

Insert, between the words "agreement" and "shall", the following:

"which must be approved by the Controller"

"Delete the words "by the Controller"

s/Donald W. Miller

The amendment was adopted by unanimous voice vote. The Chair then called a public hearing. Mr. Richard Clem, Attorney for Uncle Ralph's Taxi Service, stated his client opposed the amendment because it permitted the Controller to restrain trade. Mr. Richard Hunt, President and General Managers of Yellow Cab Company, also protested the amendment as being in restraint of trade. Mr. Ted Wilson, Attorney for Mrs. Deborah Stearns and Mr. William Sharp, endorsed the amendment as being beneficial for the independent cab drivers. In response to a question posed by Mr. Vollmer, Mr. Miller responded that all previous agreements made by a taxicab company are to be reported. Following discussion, Proposal No. 437, 1978, As Amended, was adopted on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, 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. Gilmer and Mr. Kimbell.

Proposal No. 437, 1978, As Amended, was then retitled GENERAL ORDINANCE NO. 103, 1978, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 103, 1978

A GENERAL ORDINANCE for an amendment to the "Code of Indianapolis and Marion County" to provide for approval by the Controller of any contract or agreement by the owner of a taxicab to provide exclusive taxicab service.

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

SECTION 1. Chapter 17, Article XIX, Section 17-647 of the "Code of Indianapolis and Marion County" is hereby amended to read as follows:

ARTICLE XIX. Taxicabs.

Sec. 17-647. Contracts for Taxicab Services.

Each owner shall file with the controller a copy of any contract or agreement by the owner to provide exclusive taxi service for any ~~business, organization or location.~~ person, corporation, public or private; partnership; business; other organization; or location. The contract or agreement shall be filed with the Controller at least ten (10) days prior to the date upon which it becomes effective, within ten (10) days prior to the date upon which it was entered into. Within said ten (10) day period, the Controller shall, within his discretion, approve or disapprove any such contract or agreement which is entered into by the owner and any other said person; corporation, public or private; partnership; business or other organization which provides public services or public accommodations. If the Controller disapproves said contract or agreement, it shall not become effective. Any decision of the Controller may be appealed as though the licensee's license had been revoked or suspended. No exclusive contract or agreement, which must be approved by the Controller, shall be approved if it substantially acts to restrain trade in the taxicab industry or is contrary to public policy. and the The violation of the provisions of this section shall result in the immediate revocation of the owner's license issued pursuant to this article.

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

[Clerk's Note: Councilman Cantwell excused himself from the Council Chambers at this time.]

PROPOSAL NO. 458, 1978. Mr. Miller reported that this proposal approved agencies which could receive CETA grants. If Council members had questions, those agencies would be further investigated in committee. After motion duly made and seconded, Proposal No. 458, 1978, was adopted on the following roll call vote; viz:

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

1 NO: Mr. Schneider.

1 NOT VOTING: Mr. Dowden.

Proposal No. 458, 1978, was retitled COUNCIL RESOLUTION NO. 17, 1978, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 17, 1978

A COUNCIL RESOLUTION authorizing the allocation of public service employment expenditures from federal grants pursuant to the Comprehensive Employment and Training Act of 1973, as amended.

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

SECTION 1. From the amounts appropriated by City-County Fiscal Ordinance No. 8 and No. 57, 1978, the City-County Council hereby authorizes and approves the allocation of such appropriations for the following programs, to wit:

**COMPREHENSIVE EMPLOYMENT AND TRAINING ACT
SPECIAL PROJECT**

Young Women's Christian Association (YWCA)
Big Sisters of Greater Indianapolis, Inc.
Central Indiana Council on Aging
Indiana Vocational Technical College (Ivy Tech)
Marion County Association for Retarded Citizens
Epilepsy Foundation of Indiana, Inc.
Prevention of Blindness, Indiana Society
Boy Scouts of America
Girls Clubs of Greater Indianapolis, Inc.
Girl Scouts, Inc.
American Diabetes Association, Indiana Affiliate
Crossroads Rehabilitation Center, Inc.
Goodwill Industries, Foundation of Central Indiana, Inc.
Hemophilia of Indiana, Inc.
Flanner House
March of Dimes, Central Indiana Chapter
Kidney Foundation of Indiana
Indiana University -- Purdue University at Indianapolis
United Way of Greater Indianapolis, Inc.
Indianapolis Settlements, Inc.
Family Services Association
Indianapolis Plan for Equal Employment, Inc.
Indianapolis Opportunities Industrialization Center
Southeast Multi-Service Center
Associated Patient Services
Indiana Health Careers

Near Eastside Multi-Service Center
 Indianapolis Senior Citizens Center
 City of Beech Grove
 Young Men's Christian Association
 United Southside Community Organization
 International Center of Indianapolis
 Public Action in Correctional Effort
 Central Indiana Health System
 Citizens Ambulatory Health Center
 Mental Health Association
 Indiana Repertory Theatre
 Southwest Multi-Service Center
 Pleasant Run Children's Home
 Senior Enterprises Employment Service
 American Lung Association of Indiana
 United Northwest Area, Inc.
 Health & Hospital Corporation of Marion County
 University Heights Hospital
 Indianapolis Metropolitan Federal Credit Union
 Indianapolis Experimental Education Foundation (Free University)
 Salvation Army
 Indianapolis City--County Employees Federal Credit Union
 Greater Indianapolis Housing Development Corporation (GIHDC)
 United Auto Workers No. 1111
 Indianapolis Opera Company
 Meridian--Kessler Neighborhood Association
 Indianapolis Humane Society
 Indiana Black Expo, Inc.
 College Avenue Youth Behavior Academy -- CAYBA
 Market Place, Inc.
 Citizens Forum, Inc.
 State of Indiana
 Metropolitan Arts Council of Indianapolis
 Business Consulting Services
 Citizens Multi-Service Center
 Indiana Committee for Humanities
 Boys Club Association of Indianapolis
 Red Cross
 Cerebral Palsy United of Central Indiana
 State Welfare
 American Lung Association of Central Indiana
 Heritage Place of Indianapolis
 Forest Manor Multi-Service Center
 Indianapolis Parent/Child Development Center
 Day Nursery Association at Indianapolis
 Eastside Community Investments, Inc.
 Community Addiction Services Agency
 Central Indiana Area Library Services
 Indianapolis Pre-School Centers, Inc.

SECTION 2. The appropriate departments and agencies of the Consolidated City are authorized to take such actions as are necessary to effect the programs and purposes approved in Section 1.

SPECIAL ORDERS -- PUBLIC HEARING

PROPOSAL NO. 342, 1978. Mr. Anderson presented the County & Townships Committee report in place of Mr. Schneider who had been absent for the committee

meeting. He stated that due to the unavailability of nurses it was possible to reduce the appropriated amount from \$70,000 to \$50,000. Also, Mr. Rhodes, Council Fiscal Analyst, stated that \$300,000 in federal antirecessionary funding would be introduced at the next meeting in order to fund the cost of wages caused the increase in the federal minimum wage. Mr. Elrod, General Counsel, explained at Mr. West's request that antirecessionary funds may be used for the continuation of government operation which otherwise would be unfundable. Mr. Vollmer expressed his concern of the relatively low level of nursing care provided at the Marion County Home. The Council recessed to a Committee of the Whole at 9:05 p.m. for public hearing, and reconvened at 9:06 p.m. Following public hearing, Mr. Anderson moved, seconded by Mrs. Brinkman, the following amendment:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 342, 1978, by deleting the introduced version and substituting therefor, the version entitled: "Proposal No. 342, 1978, Committee Recommendations."

s/ George Anderson

Proposal No. 342, 1978, As Amended, was then adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

2 NOT VOTING: Mr. Campbell and Mr. Miller.

Proposal No. 342, 1978, As Amended, was retitled FISCAL ORDINANCE NO. 109, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 109, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional fifty thousand dollars (\$50,000) in the County General Fund for purposes of the Marion County Home 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 providing funds for the Marion County Home and Julietta Center's personal services budget. Such additional expenses to be funded from a federal anti-recessionary grant.

SECTION 2. The sum of fifty thousand dollars (\$50,000) 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:

MARION COUNTY HOME COUNTY GENERAL FUND

10. Personal Services	<u>\$50,000</u>
TOTAL INCREASES	\$50,000

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

Unappropriated and unencumbered	
County General Fund	<u>\$50,000</u>
TOTAL REDUCTIONS	\$50,000

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

PROPOSAL NO. 419, 1978. Mr. Miller, Chairman of the Administration Committee, stated that this proposal closes out a letter of credit from the federal government. The distribution of the \$1,610,000 appropriated will be as follows: participant allowances, \$875,000; summer youth allowance, \$260,000; staff salaries, \$455,000; and office equipment and furniture for expanded DET office space, \$20,000. The Council recessed to a Committee of the Whole at 9:09 p.m. for public hearing, and reconvened at 9:10 p.m. Following public hearing, the proposal was adopted on the following roll call vote; viz:

20 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, 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. Durnil, Mr. McGrath, and Mr. Schneider.

1 NOT VOTING: Mr. Howard.

Proposal No. 419, 1978, was retitled FISCAL ORDINANCE NO. 110, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 110, 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 six hundred ten thousand dollars (\$1,610,000) 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 reducing the unappropriated and unencumbered balance in the Manpower Federal Programs Fund.

CITY—COUNTY FISCAL ORDINANCE NO. 111, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional five hundred sixty-five thousand eight hundred fifty-five dollars and eighty cents (\$565,855.80) in the Cumulative Bridge Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Cumulative Bridge 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, the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of providing maintenance of bridges in Marion County.

SECTION 2. The sum of five hundred sixty-five thousand eight hundred fifty-five dollars and eighty cents (\$565,855.80) 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	CUMULATIVE BRIDGE FUND
61. Capital	\$ 20,000.00
67. Capital	<u>545,855.80</u>
TOTAL INCREASES	<u>\$565,855.80</u>

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

	CUMULATIVE BRIDGE FUND
Unappropriated and unencumbered Cumulative Bridge Fund	<u>\$565,855.80</u>
TOTAL REDUCTIONS	<u>\$565,855.80</u>

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

PROPOSAL NO. 432, 1978. Chairman of the Community Affairs Committee, Mr. Dowden, reported that the \$37,000 appropriated for a new roof is federal relief money from the ADC Program. The Council recessed to a Committee of the Whole at 9:15 p.m. for public hearing, and reconvened at 9:16 p.m. Following discussion, Proposal No. 432, 1978, was adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

2 NOT VOTING: Mr. Clark and Mr. Patterson.

Proposal No. 432, 1978, was retitled FISCAL ORDINANCE NO. 112, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 111, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) transferring and appropriating five hundred twenty-five thousand one hundred dollars (\$525,100) in the Transportation General Fund (Motor Vehicle Highway Tax) for purposes of the snow control program, Department of Transportation, and reducing certain other appropriations for that department.

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 procuring 61 additional trucks and 45 additional snow plows.

SECTION 2. The sum of five hundred twenty-five thousand one hundred dollars (\$525,100) be, and the same 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 TRANSPORTATION	TRANSPORTATION GENERAL FUND
50. Properties	<u>\$525,100</u>
TOTAL INCREASES	<u>\$525,100</u>

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

DEPARTMENT OF TRANSPORTATION	TRANSPORTATION GENERAL FUND
21. Contractual Services	\$275,100
22. Supplies	150,000
23. Materials	<u>100,000</u>
TOTAL REDUCTIONS	<u>\$525,100</u>

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

PROPOSAL NO. 432, 1978. Chairman of the Community Affairs Committee, Mr. Dowden, reported that the \$37,000 appropriated for a new roof is federal relief money from the ADC Program. The Council recessed to a Committee of the Whole at 9:15 p.m. for public hearing, and reconvened at 9:16 p.m. Following discussion, Proposal No. 432, 1978, was adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

2 NOT VOTING: Mr. Clark and Mr. Patterson.

Proposal No. 432, 1978, was retitled FISCAL ORDINANCE NO. 112, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 112, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional thirty-seven thousand dollars (\$37,000) in the Marion County Welfare Fund for purposes of the Marion County Children's Guardian Home and reducing the unappropriated and unencumbered balance in the Marion County Welfare 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 3.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of a new roof and miscellaneous plumbing and painting at the Marion County Children's Guardian Home.

SECTION 2. The sum of thirty-seven thousand dollars (\$37,000) 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:

MARION COUNTY	
DEPARTMENT OF PUBLIC WELFARE	
(CHILDREN'S GUARDIAN HOME) COUNTY WELFARE FUND	
21. Contractual Services	<u>\$37,000</u>
TOTAL INCREASES	<u>\$37,000</u>

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

Unappropriated and unencumbered	
County Welfare Fund	<u>\$37,000</u>
TOTAL REDUCTIONS	<u>\$37,000</u>

SECTION 5. 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. 420, 1978. Mr. Tintera stated that the inducement resolution for Consolidated Freightways, Inc., was adopted in July. The construction of the motor carrier freight terminal will create 50 to 75 new jobs. Following discussion, Proposal No. 420, 1978, was adopted on the following roll call vote; viz:

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

NO NOES.

1 NOT VOTING: Mr. Patterson.

Proposal No. 420, 1978, was retitled SPECIAL ORDINANCE NO. 5, 1978, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 5, 1978

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Industrial Development Revenue Bonds (Consolidated Freightways Corporation of Delaware Project), Series A" in the principal amount of one million dollars (\$1,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Consolidated Freightways Corporation of Delaware, and the Metropolitan Commission of Marion County has been given an opportunity to comment thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on October 13, 1978, adopted a resolution on that date, which resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for sale to Consolidated Freightways Corporation of Delaware complies with the purposes and provisions of Indiana Code 18-6-4.5 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of Installment Sale Agreement, Trust Indenture, Installment Purchase Guaranty Agreement, Underwriting Agreement, and Preliminary Official Statement (such documents being hereafter referred to collectively as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) by resolution adopted prior in time to this date, which resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Installment Sales Agreement, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the use of the net proceeds thereof for the purpose of financing the motor carrier terminal facilities under construction or to be constructed in Indianapolis, Indiana and the sale of such facilities in installments to Consolidated Freightways Corporation of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 18-6-4.5.

SECTION 2. The forms of the Installment Sale Agreement, Trust Indenture, Installment Purchase Guaranty Agreement, Underwriting Agreement, Preliminary Official Statement, and Final Official Statement approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) shall be incorporated herein by reference and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council.

SECTION 3. The City of Indianapolis shall issue its Industrial Development Revenue Bonds (Consolidated Freightways Corporation of Delaware Project), Series A in the total principal amount of one million dollars (\$1,000,000) for the purpose of procuring funds in order to finance the acquisition and construction of economic development facilities, as more particularly set out in the Installment Sale Agreement, Trust Indenture, Installment Purchase Guaranty Agreement, Underwriting Agreement, Preliminary Official Statement, and Final Official Statement incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Consolidated Freightways Corporation of Delaware under the Installment Sale Agreement from payments made by Consolidated Freightways, Inc. pursuant to the Installment Purchase Guaranty Agreement, and from other sources under the Installment Sale Agreement, or as otherwise provided in the above described Trust Indenture. The

Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller is authorized and directed to sell such Bonds to Thornton, Farish & Gauntt, Inc. at a price not less than 98 percent of the principal amount and at such rates of interest and maturity set forth in the Underwriting Agreement.

SECTION 5. The Mayor and the City Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction, including the Bonds authorized herein and to make any changes which the Mayor and City Clerk deems necessary and desirable to carry out the purposes of this ordinance. The signatures of the Mayor and City Clerk on the Bonds and coupons may be facsimile signatures. The City Clerk or City Controller is authorized to arrange for the delivery of such Bonds to the purchasers thereof, payment for which will be made to the Trustee named in the Trust Indenture.

SECTION 6. The City also ratifies the distribution of the preliminary Official Statement by Thornton, Farish & Gauntt, Inc.

SECTION 7. The provisions of the Ordinance and the Trust Indenture securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holder of the Industrial Development Revenue Bonds (Consolidated Freightways Corporation of Delaware Project), Series A and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as any of said Bonds or the interest thereon remain unpaid.

SECTION 8. This Ordinance shall be in full force and effect from and after compliance with procedure required by IC 18-4-5-2.

PROPOSAL NO. 394, 1978. Mr. Anderson reported for the County & Townships Committee that this proposal establishes rates for the health care at the Marion County Home. Following discussion, the proposal was adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. Lyons, 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.

NO NOES.

2 NOT VOTING: Mr. Howard and Mrs. Journey.

Proposal No. 394, 1978, was retitled GENERAL RESOLUTION NO. 11, 1978, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 11, 1978

A GENERAL RESOLUTION approving the schedule of charges for the care and maintenance of patients and residents of the Marion County Home and Julietta Convalescent Center as fixed by the County Home Board.

WHEREAS, pursuant to IC 1971, 12-4-3-9, the schedule of charges for the care and maintenance of patients and residents of the Marion County Home and Julietta Convalescent Center shall be fixed by the County Home Board at its May meeting, and if

such schedule of charges is increased, shall become effective on January 1 of the following year only if approved by resolution of the City-County Council; and

WHEREAS, the County Home Board fixed a schedule of charges at its meeting in May 1978, which increased the charges for certain classes and types of care; and

WHEREAS, the County Home Board desires that the City-County Council approve such schedule of charges effective on January 1, 1979; and

WHEREAS, this Council finds that it is in the best interest of the citizens of Marion County and the patients and residents of the County Home that such new schedule of rates be approved; now, therefore:

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

SECTION 1. The four types of classes of care established by the County Home Board, on the basis of the regulations of the Indiana Health Facilities Council and the United States Department of Health, Education and Welfare with respect of Medicare and Medicaid eligible facilities, are as follows, to-wit: Comprehensive, Upper Intermediate, Lower Intermediate, and Residential.

SECTION 2. The rates for care in each of the categories set forth in Section 1 of this Resolution as established by the County Home Board of May 10, 1978, are approved for the respective classes of care as follows:

1. Comprehensive Care shall be at the rate of \$26.96 per day per person.
2. Upper Intermediate Care shall be at the rate of \$22.89 per day per person.
3. Lower Intermediate Care shall be at the rate of \$21.41 per day per person.
4. Residential Care shall be at the rate of \$13.78 per day per person.
5. Assistance to Residents in County Homes (ARCH) Program (State Welfare) shall be at the rate of \$225.00 per month per person.

SECTION 3. The rates established and approved by this Resolution shall be effective on and after January 1, 1979.

PROPOSAL NO. 433, 1978. This proposal amends the Code to provide for an efficient snow removal plan for the City. The following amendment was then adopted by unanimous voice vote:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 433, 1978, by deleting the introduced version and substituting therefor the version entitled "Proposal No. 433, 1978, Committee Recommendations."

s/David P. McGrath

Proposal No. 433, 1978, As Amended, was then adopted on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, 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.

NO NOES.

1 NOT VOTING: Mr. Howard.

Proposal No. 433, 1978, As Amended was retitled GENERAL ORDINANCE NO. 104, 1978, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 104, 1978

A GENERAL ORDINANCE establishing priorities and methods to effectuate and facilitate the efficient removal of snow and ice from public roads in all areas in the service district of the Department of Transportation of the Consolidated City of Indianapolis [Amends Code Section 29-316 through Section 29-320].

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

SECTION 1. Chapter 29 of the "Code of Indianapolis and Marion County", specifically "DIVISION 3. SNOW EMERGENCY ROUTES" be, and the same is hereby amended by the deletion of Sections 29-316, 29-317, 29-318, 29-319, and 29-320, and the insertion of the following Sections 29-316, 29-317, 29-318, 29-319, 29-320, 29-321, 29-322, 29-323, 29-324, 29-325, 29-326, and 29-237, which reads as follows, to wit:

Sec. 29-316. Name, scope and purpose.

This ordinance shall be referred to as the Priority Snow Clearance Ordinance, and shall apply to all areas in the service district of the Department of Transportation of the City of Indianapolis and Marion County. It sets forth priorities and methods to effectuate and facilitate the efficient removal of snow and ice from public roads.

Sec. 29-317. Definitions.

- (a) **Mayor:** The duly elected Mayor of the City of Indianapolis and Marion County.
- (b) **Mayor's Designee:** Any party designated by the Mayor with the responsibility of implementing the terms of this ordinance.
- (c) **First Priority Streets:** Those streets on the official snow plan comprised of thoroughfares, collectors, and streets abutting hospitals and fire stations.
- (d) **Second Priority Streets:** Those streets abutting schools and other necessities.
- (e) **Third Priority Streets:** All remaining streets.

Sec. 29-318. Priority routes designated.

It shall be the responsibility of the Transportation Board to designate which roads, streets and thoroughfares shall have which specific priority designation. The Transportation Board shall work with the Department of Public Safety in order that the city might best facilitate the removal of snow from the roadways and determine which roads shall have priority.

Sec. 29-319. Declaration by the mayor or his designee.

- (a) The Mayor or his Designee shall cause each declaration made by him pursuant to this ordinance to be publicly announced by means of broadcasts on all radio stations serving the general population of the City of Indianapolis and Marion County telecasts on commercially operated television stations serving the general population of the City of Indianapolis and Marion County and all newspapers of general circulation when feasible. Each announcement shall describe the action taken by the Mayor or Designee, including the time it shall become effective and specify the streets or areas effected.
- (b) The Mayor or Designee shall make or cause to be made a record of each time, place and content of any declaration made and such shall become public record.

Sec. 29-320. Termination of parking prohibition.

Whenever the Mayor or Designee shall find that some or all of the conditions which gave rise to the issuance of the parking prohibition in effect pursuant to this ordinance

no longer exist, he **may** declare the prohibition terminated, in whole or in part, in a manner prescribed pursuant to Subsection (b) of Section 29-319 of this ordinance.

Sec. 29-321. Parking on first priority streets.

- (a) Whenever the Mayor or Designee finds, on the basis of falling snow, ice, or on the basis of a forecast by a designated Weather Service that weather conditions will or could make it necessary that motor vehicle traffic be expedited and that parking on designated streets shall be restricted in accordance with the provisions of this ordinance for snow plowing and other purposes as deemed necessary by the Mayor or Designee for clearing the designated streets. The Mayor or Designee shall put into effect a parking prohibition on First Priority Streets declaring it in a manner prescribed in accordance with Section 29-319 of this ordinance. Upon declaration of a parking prohibition, parking of any kind and in any manner shall be prohibited on all First Priority Streets until further indicated by the Mayor or Designee.
- (b) Once in effect, the prohibitions for parking shall remain in effect until terminated by announcement of the Mayor or Designee in accordance with Section 29-320 of this ordinance. The Mayor or Designee may, at his discretion from time to time during the course of the effective period of this ordinance, allow parking on any First Priority Streets subsequent to its being cleared to the Mayor's or his Designee's satisfaction. Such discretionary announcements shall be made in accordance with and pursuant to the provisions of this ordinance. However, nothing in this ordinance shall be construed to permit parking at any time or place when it is forbidden by any other provision of law.

Sec. 29-322. Parking on second and third priority streets.

- (a) Whenever the Mayor or Designee finds, on the basis of falling snow, ice or on the basis of a forecast by a designated Weather Service that weather conditions will or could make it necessary that motor vehicle traffic be expedited in accordance with the provisions of this ordinance, and that parking on designated streets be restricted, the Mayor or Designee shall put into effect a parking prohibition on part of or all Second Priority Streets as necessary by declaring it in a manner prescribed by this ordinance. The provision shall remain in effect until terminated by announcement of the Mayor or Designee in accordance with the provisions of this ordinance. The Mayor or Designee may, at his discretion from time to time during the course of the effective period of this ordinance, allow parking on any Second Priority Streets subsequent to its being cleared to the Mayor's or Designee's satisfaction. Such discretionary announcements shall be made in accordance with and pursuant to the provisions of this ordinance. However, nothing in this ordinance shall be construed to permit parking at any time or place when it is forbidden by any other provision of law. Prohibition and allowance of parking shall be on Second Priority Streets as permitted below:
 - (1) Vehicles may be parked on the odd-street-numbered side of the street on dates which are odd numbered.
 - (2) Vehicles may be parked on the even-street-numbered side of the street on dates which are even numbered.
- (b) Whenever the Mayor or Designee, at his discretion, shall determine that parking shall be expedited as set forth in Subsection (a) of Section 29-322 above, he may prohibit and allow parking on Third Priority Streets in the same manner as set forth in Subsection (a) of Section 29-322.
- (c) However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.
- (d) The terms of Sec. 29-322 of this ordinance shall become effective only upon declaration by the Mayor or his Designee as set forth in Sec. 29-319.

Sec. 29-323. Signs to mark priority streets.

On First Priority Streets so designated by the Transportation Board, the Mayor or Designee shall cause to be posted the appropriate signs in accordance with the Manual

on Uniform Traffic Control Devices.

Sec. 29-324. Removal, impounding and return of vehicles.

- (a) Individuals shall be charged with the responsibility of knowing the priority of their street of residence and deemed to know the same. Further, the individuals shall be responsible for ascertaining the priority of the street upon which they are traveling or upon which they have become stalled and deemed to know the same and shall take whatever measures necessary to remove stalled vehicles from those routes in accordance with this ordinance.
- (b) The Department of Transportation of Public Safety and Marion County Sheriff's Department are hereby authorized to remove or have removed a vehicle from a street to the nearest garage or other place (including another place on a street) or to a garage designated or maintained pursuant to a contract with the City of Indianapolis and Marion County, when:
 - (1) The vehicle is parked on a part of a Priority Street on which a declared prohibition is in effect.
 - (2) The vehicle is stalled on a part of a Priority Street on which there is a covering of snow, ice or on which there is a declared parking prohibition in effect and the person who was operating such vehicle does not appear to be removing it in accordance with the provisions of this ordinance.
 - (3) The vehicle is parked in violation of any parking ordinance or provision of law and is interfering or about to interfere with snow removal operations.
- (c) In the event that it is deemed by any law enforcement officer that a vehicle shall be towed for the purpose of storage, he shall order the vehicle towed immediately in accordance with the provisions of this ordinance. In the event that there is an insufficient number of contract wreckers available, the Mayor or his Designee shall have the authority to enter into service contract with other wrecker services for the purpose of towing vehicles during the period of the snow removal operations. Vehicles shall be towed to any approved storage lot owned by a wrecker service. In the event that there is no space available on such a lot, the vehicle shall be stored at such a site designed by the law enforcement officer.
- (d) Whenever a vehicle has been removed from a street as authorized in this section and the appropriate agency is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such agency shall, as soon as possible, give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefore and of the manner in which such vehicle may be reclaimed. In this event, any such notice shall be given to the proprietor of such storage lot or garage.
- (e) Whenever an officer removes or has removed a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any reason in unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the Bureau of Motor Vehicles and shall file a copy of such notice with the proprietor of any storage lot or garage in which the vehicle may be stored.
- (f) No person shall recover any vehicle removed in accordance with this section except as provided herein. Before the owner or person in charge of such vehicle shall be allowed to recover it from the place where it has been placed or impounded, he shall present to a member of the appropriate law enforcement agency evidence of his identity and right to possession of the vehicle, shall: (1) sign a receipt for its return; (2) pay the cost of removal; and (3) pay any cost of storage accrued for each additional day or portion thereof thereafter. Until paid, these charges constitute a lien on the vehicle which may be enforced in the same manner as a garage keeper's lien in accordance with

- the provisions of the applicable state statutes.
- (g) It shall be the duty of the appropriate law enforcement agency to keep a record of each vehicle removed in accordance with this section. The record shall include: (1) a description of the vehicle; (2) its license number; (3) the date and time of its removal; (4) location from where it was removed; (5) its present location; (6) the name and address of its owner and last operator, if known; (7) its final disposition; and (8) the parking violation involved.
 - (h) This section shall be supplemental to any other provisions of law granting members of the Indianapolis Police Department or Marion County Sheriff's Department authority to remove vehicles.
 - (i) Any party who received a citation for violation of any provision of this ordinance shall pay a penalty of fifteen dollars (\$15.00), which is in addition to any and all other costs as provided in Subsection (f) of Section 29-324 of Chapter 29 and Subsection (a) of Section 29-44 of Chapter 29. The fifteen dollars (\$15.00) penalty shall be deposited in the accounts of the City of Indianapolis.
 - (j) In the event an individual feels that he has been improperly fined as a result of this ordinance, he may enter a plea of not guilty and shall be entitled to a hearing in the court of appropriate jurisdiction.

Sec. 29-325. Stalled vehicles on priority streets.

- (a) Whenever a vehicle becomes stalled for any reason, on any part of a Priority Street, on which there is a declared parking prohibition in effect, the operator of the vehicle shall take emergency action to have the vehicle removed from the roadway in whatever manner necessary either onto the first cross street on which

there is not a parking prohibition, or parking accessible to the general public.

- (b) No person shall leave or abandon his vehicle on any Priority Street upon which there is a parking ordinance, except for the purpose of securing assistance during the actual time necessary to secure such assistance.
- (c) In the event that a vehicle is cited, removed or impounded during the absence of the operator, pursuant to the provisions of this ordinance, the driver shall be deemed to have abandoned the vehicle at his own peril.

Sec. 29-326. Citation of vehicles parked or left in violation of ordinance.

Whenever any motor vehicle without a driver is found parked or left in violation of any provision of this ordinance, the officer finding such vehicle shall take its registration number and other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, in the same manner as provided in Section 29-42 of Chapter 29 of the "Code of Indianapolis and Marion County".

Sec. 29-327. Evidence with respect to vehicles parked or left in violation of ordinance.

In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this ordinance, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this ordinance, together with proof that the defendant named in the complaint was at the time the registered owner of such vehicle, shall constitute "prima facie" evidence that the defendant was the person who parked or left the vehicle in violation of this ordinance.

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

PROPOSAL NO. 434, 1978. Mr. Durnil explained that the money being applied for must be used for housing authority, and no commitments were made on the part of Indianapolis. Mr. Collins from Housing Authority spoke briefly. Following discussion, Proposal No. 434, 1978, was adopted on the following roll call vote; viz:

21 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

3 NOES: Mr. McGrath, Mr. Miller and Mr. Schneider.

Proposal No. 434, 1978, was retitled GENERAL RESOLUTION NO. 12, 1978, and reads as follows:

CITY—COUNTY GENERAL RESOLUTION NO. 12, 1978

A GENERAL RESOLUTION authorizing the City of Indianapolis to participate in the Community Development Programs and receive grants therefor as provided in the Housing and Community Development Act of 1974 as amended and designating and authorizing the Mayor as the appropriate officer of the City of Indianapolis to make application under said federal statute.

WHEREAS, the Federal Housing and Community Development Act of 1974, specifically Title I thereof, provides for certain federal grants to units of local government to assist in the development of viable urban communities; and

WHEREAS, the City of Indianapolis has participated in certain other federal grant programs which are replaced by the provisions of Title I of the said Housing and Community Development Act of 1974; and

WHEREAS, under Section 107(a)(4) of Title I of said Act the Secretary of HUD is authorized to provide grants to units of local government for funding activities in conjunction with Local Housing Authorities; and

WHEREAS, the City-County Council recognizes the need for assistance to the Local Housing Authority to improve resident security and resident responsibility; and

WHEREAS, the City-County Council, as the governing body of the City of Indianapolis, determines that it is in the best interest of the City that application, under Title I of said Act, be made for federal grants to which the City is entitled, thereunder; now, therefore:

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

SECTION 1. The appropriate departments of the City are authorized to undertake the planning and preparation of an application for funds available to the City under the provision of Title I of the Housing and Community Development Act of 1974.

SECTION 2. The Mayor of the City of Indianapolis is designated and authorized as the appropriate local official to submit and certify said application as required in said Act and the regulation applicable thereto.

SECTION 3. The application shall be in an amount not to exceed \$250,000 and shall be for the following:

- A. Security Training and Equipment for the Local Housing Authority Staff.
- B. Training and Counseling of present and future residents in the areas of:
 - 1. Maintenance and Housekeeping
 - 2. Money Management
 - 3. Social Service Availability
 - 4. Resident Responsibility

PROPOSAL NO. 397, 1978. Mrs. Coughenour, reported for the Public Works Committee, that this proposal was a transfer from the supplies account to that of operating expenses. Mr. Kenney, Market Master, spoke, stating that all stands with the exception of three were occupied. Proposal No. 397, 1978, was then adopted on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, 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.

1 NO: Mr. Howard.

Proposal No. 397, 1978, was retitled FISCAL ORDINANCE NO. 113, 1978, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 113, 1978

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) transferring and appropriating ten thousand five hundred dollars (\$10,500) in the City Market Fund for purposes of City Market, Department of Public Works, 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 1.06 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 funds for the completion of 1978.

SECTION 2. The sum of ten thousand five hundred dollars (\$10,500) be, and the same 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:

CITY MARKET	CITY MARKET FUND
21. Contractual Services	<u>\$10,500</u>
TOTAL INCREASES	\$10,500

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

CITY MARKET	CITY MARKET FUND
23. Materials	<u>\$10,500</u>
TOTAL REDUCTIONS	\$10,500

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

PROPOSAL NO. 398, 1978. Mrs. Coughenour explained that more sludge necessitated the transfer of funds to purchase more chemicals and more fuel to treat the sludge. After motion made and seconded, Proposal No. 398, 1978, was adopted on the following roll call vote; viz:

3 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, 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.

NOT VOTING: Mr. Gilmer, Mr. Kimbell and Mr. Schneider.

Proposal No. 398, 1978, was retitled FISCAL ORDINANCE NO. 114, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 114, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) transferring and appropriating six hundred thirty-nine thousand one hundred dollars (~~\$639,100~~) in the Sanitation General Fund for purposes of the Liquid Waste Division, Department of Public Works, 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 1.06 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of purchasing sludge disposal utilities and chemicals.

SECTION 2. The sum of six hundred thirty-nine thousand one hundred dollars (\$639,100) be, and the same 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:

PUBLIC WORKS DEPARTMENT		
LIQUID WASTE DIVISION	SANITATION GENERAL FUND	
22. Supplies		<u>\$639,100</u>
TOTAL INCREASES		<u>\$639,100</u>

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

PUBLIC WORKS DEPARTMENT		
LIQUID WASTE DIVISION	SANITATION GENERAL FUND	
10. Personal Services		\$439,100
21. Contractual Services		<u>200,000</u>
TOTAL REDUCTIONS		<u>\$639,100</u>

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

PROPOSAL NOS. 456-457 and 464-469, 1978. No action was taken and proposal Nos. 456-457 and 464-469, 1978, and they were retitled REZONING ORDINANCES NOS. 159-166, 1978, and read as follows:

REZONING ORDINANCE NO. 159, 1978. 78-Z-119 PERRY TOWNSHIP COUNCILMANIC DISTRICT NO. 25 8301 SHELBY STREET, INDIANAPOLIS

John D. Cochran, Trustee by John B. Urbahran, Attorney, 211 North Delaware Street, requests rezoning of 11.21 acres, being in A-2 district, to C-1 classification to permit an office park.

**REZONING ORDINANCE NO. 160, 1978. 78-Z-120 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

8330 U.S. 31, SOUTH, INDIANAPOLIS

John D. Cochran, Trustee by John B. Urbahns, Attorney, 211 North Delaware Street, requests rezoning of 47.14 acres, being in A-2 district, to C-5 classification to permit the development of an automotive sales and service park.

**REZONING ORDINANCE NO. 161, 1978. 78-Z-142 A WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6**

150 WEST 40TH STREET, INDIANAPOLIS (School No. 43)

Board of School Commissioners of the City of Indianapolis by Frederick L. Rice, Attorney, 400 Union Federal Building requests rezoning of 1.96 acres, being in D-5 district, to SU-2 classification for school uses.

**REZONING ORDINANCE NO. 162, 1978. 78-Z-142 B WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6**

4046 NORTH ILLINOIS STREET, INDIANAPOLIS (School No. 43)

Marguerite D. Kington by the Board of School Commissioners of the City of Indianapolis by Frederick L. Rice, Attorney, 400 Union Federal Building requests rezoning of 1.34 acres, being in D-5 district, to SU-2 classification to permit school uses.

**REZONING ORDINANCE NO. 163, 1978. 78-Z-153 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

1645 WEST EDGEWOOD AVENUE, INDIANAPOLIS

Lowell M. & Arlene M. Sutton by Michael J. Kias, Attorney, 3045 South Meridian Street request rezoning of 8.21 acres, being in A-2 district, to I-2-S classification to permit industrial development.

**REZONING ORDINANCE NO. 164, 1978. 78-Z-155 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

701 SOUTH SHORTRIDGE ROAD, INDIANAPOLIS

Louis and Ruth DeLanglade, 4511 Stratford Avenue by Thomas E. Pendleton, Agent, request rezoning of 25.00 acres, being in A-2 district, to D-3 classification to permit residential use.

**REZONING ORDINANCE NO. 165, 1978. 78-Z-156 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 2**

8521 EVERGREEN AVENUE, INDIANAPOLIS

Pennwood Development by James R. Nickels, Attorney, One Indiana Square No. 2050 requests rezoning of 1.28 acres, being in A-2 district, to C-1 classification to permit commercial office.

**REZONING ORDINANCE NO. 166, 1978. 78-Z-159 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

2101 SOUTH FRANKLIN ROAD, INDIANAPOLIS

Trustees of Irvington Seventh Day Adventist Church by Joseph F. Webb, Consultant, 721 North Fulton Street requests rezoning of 6.00 acres, being in A-2 district, to SU-2 classification to permit church use.

ANNOUNCEMENTS AND ADJOURNMENT

The Chair announced that the next meeting would be held on Wednesday November 8, 1978, in the Council Chambers at 7:00 p.m. The election is Tuesday

Mr. Vollmer announced that the Supreme Court had upheld the constitutionality of the Massage Parlor Ordinance adopted by this Council two years earlier. H

also mentioned that the Halloween candy was provided by the Senior Citizens of Christamore House.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 9:30 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis—Marion County, held at its Regular Meeting on the 23rd day of October, 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