

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

Ladies and Gentlemen:

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, January 22, 1979, at 7:00 p.m., the purpose of such MEETING being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

s/Beurt SerVaas, President
City-County Council

January 9, 1979

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 NEWS and The Indianapolis COMMERCIAL on January 11, 1979 and January 18, 1979 a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 12, 23 and 29, 1979 to be held on Monday, January 22, 1979 at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

January 10, 1979

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 1, 1979, amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 and appropriating an additional one hundred ninety-three thousand seven hundred fifty-six dollars in the 1976 Reassessment Fund for purposes of various county departments and reducing the unappropriated and unencumbered balance in the 1976 Reassessment Fund.

FISCAL ORDINANCE NO. 5, 1979, amending the CITY-COUNTY ANNUAL BUDGET for 1979 authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Prosecutor's Office.

FISCAL ORDINANCE NO. 6, 1979, amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Surveyor's Office.

FISCAL ORDINANCE NO. 7, 1979, amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 authorizing changes in the personnel compensation schedule (Section 2.03) of the Wayne Township Assessor's Office.

GENERAL ORDINANCE NO. 1, 1979, amending the City-County General Ordinance No. 85, 1978, to add two new positions in the Perry Township Fire Department.

GENERAL ORDINANCE NO. 2, 1979, amending the Code of Indianapolis and Marion County by adding a new Section 21-43 designating a parade route.

GENERAL ORDINANCE NO. 3, 1979, amending City-County Ordinance No. 85, 1978, authorizing additional employees for the Center Township Trustee, financed by CETA grants.

Respectfully submitted,

s/William H. Hudnut, III

January 19, 1979

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. Rippey, the following ordinance:

GENERAL ORDINANCE NO. 4, 1979, amending the Code of Indianapolis and Marion County, thereby revising Chapter 17 thereof, with respect to the licensing of taxicabs; amending the rates charged by taxicabs and providing for "share-riders".

Respectfully submitted,

s/William H. Hudnut, III

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

PROPOSAL NO. 40, 1979. Introduced by Miss Parker and Mr. Vollmer. This proposal supported the petition made by Health & Hospital Corporation to the State Board of Tax Commissioners and the Tax Control Board to reinstate two cents to the 1979 tax rate for community mental health centers. Miss Parker explained that Wishard Hospital was responsible to all townships except Lawrence and Warren, which were served by Gallahue Mental Health Center. Following discussion, Proposal No. 40, 1979, was adopted by unanimous voice vote, retitled **SPECIAL RESOLUTION NO. 2, 1979**, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 2, 1979

A SPECIAL RESOLUTION supporting Health & Hospital Corporation's petition to the State Board of Tax Commissioners and the Tax Control Board to provide additional funding for community mental health centers.

WHEREAS, the Council recognizes the importance of community mental health centers and the value of the work done by the two centers serving Marion County: Midtown Community Mental Health Center operated by The Health and Hospital Corporation of Marion County and Gallahue Mental Health Center operated by Community Hospital; and

WHEREAS, in recognition that county operating assistance is necessary to the continued survival of community mental health centers, state law requires county assistance equal to four cents per hundred dollars of assessed valuation; and

WHEREAS, at the time of the adoption of the 1979 Marion County budget, it was the Council's understanding that only half of the Marion County population was served by community mental health centers; and on the basis of this understanding, the County budget provided only half of the four cent equivalent; and,

WHEREAS, after adoption of the budget, the Council was advised that the Department of Mental Health of the State of Indiana has now recognized the two centers as serving the entire Marion County population; and

WHEREAS, the Council is advised that The Health and Hospital Corporation of Marion County has petitioned the State Board of Tax Commissioners and the Local Government Tax Control Board for permission to add two cents to its 1979 tax rate in order to supplement the two cents already provided for in the County's budget; and

WHEREAS, the Council wishes to express its support of The Health and Hospital Corporation's effort to provide an additional two cents for community mental health funding in Marion County; now, therefore:

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

SECTION 1. The Council hereby endorses and expresses its support of the petition of The Health and Hospital Corporation of Marion County for permission to add two cents to its 1979 tax rate for community mental health center funding in Marion County; and the Council joins the Corporation in requesting that the State Board of Tax Commissioners and the Local Government Tax Control Board grant the Corporation's petition.

PROPOSAL NO. 50, 1979. Councilman Boyd introduced and read this proposal supporting Citizens' RECAP's efforts to retain the Pacer franchise. Dr. E. Harrison Cole, spokesman for the organization, was then introduced by Mr. Boyd. He explained RECAP's purpose of encouraging business and industry in Indianapolis to support organized sports. Following discussion, the proposal was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 7, 1979, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 7, 1979

A COUNCIL RESOLUTION supporting Citizens RECAP's efforts to strengthen community support for the preservation of the Indiana Pacers franchise.

WHEREAS, the City-County Council realizes the great contribution made by the Indiana Pacers to the economic life and recreational environment of Indianapolis ; and

WHEREAS, the spirit of a city and its citizens can often be reflected in the general continuing support given to sports teams and in the extra measure of support exemplified through citizen group initiatives; and

WHEREAS, local city government recognizes the need for and encourages the participation of citizens in their efforts to generally enhance the quality of life; and

WHEREAS, the economic viability of a community is often related to the quality of professional sports and the degree to which there is community backing; now, therefore:

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

SECTION 1. The City-County Council publicly recognizes and commends the efforts of Citizens RECAP (Roundball Enthusiasts Committee Assisting Pacers) in its efforts to strengthen citizen support for the preservation of the Indiana Pacers franchise.

PROPOSAL NO. 51, 1979. Introduced by Councilmen SerVaas and Miller. Mr. Miller read the proposal commending Chief William Patterson for his service to the Indianapolis Fire Department. The proposal passed unanimously, was retitled SPECIAL RESOLUTION NO. 3, 1979, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1979

A SPECIAL RESOLUTION commending Chief William Patterson for his outstanding service to the City of Indianapolis.

WHEREAS, William J. Patterson started with the Indianapolis Fire Department on December 1, 1955, assigned to Truck 19; and

WHEREAS, Mr. Patterson was appointed Chief of the Indianapolis Fire Department on January 1, 1976, where he has provided outstanding leadership in carrying out his responsibilities with effectiveness and efficiency; and

WHEREAS, Chief Patterson is State Treasurer of the Indiana Firemen's Association, President of the Indiana Fire Chief's Association, and President of the Muscular Dystrophy Foundation; and

WHEREAS, on January 20th, Chief Patterson retired from the Indianapolis Fire Department to accept a position with Reilly Tar and Chemical Corporation as Safety Director; now, therefore:

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

SECTION 1. The City-County Council hereby commends Chief William Patterson for his outstanding 23 years of service and achievements while serving on the Indianapolis Fire Department.

SECTION 2. The Clerk of the City-County Council is hereby directed to suitably inscribe a copy of this resolution for presentation to Chief William Patterson.

SECTION 3. The Mayor is invited to join in the expression of this resolution by affixing his signature hereto.

PROPOSAL NOS. 37 and 52, 1979. At the request of Mr. West, consent was given to hear Proposal Nos. 37 and 52, 1979.

PROPOSAL NO. 52, 1979. Mr. West reported that this proposal made Public Safety Board appointments for 1979. Dr. Dwight Schuster was a reappointment and Mr. William Gardiner was a new appointment. The proposal was adopted on a voice vote, retitled COUNCIL RESOLUTION NO. 8, 1979, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 8, 1979

A COUNCIL RESOLUTION confirming Public Safety Board appointments effective January 22, 1979.

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

SECTION 1. As members of the Public Safety Board, the Council appoints:
Dwight Schuster
William Gardiner

SECTION 2. The foregoing appointments shall each be for terms of one (1) year beginning January 1, 1979, at the pleasure of the Council, and until their respective successors are appointed.

PROPOSAL NO. 37, 1979. Mr. Clark moved, seconded by Mr. West, the passage of this proposal confirming appointments to the Zoning Appeals Boards and the Economic Development Commission. All were reappointments except Mr. Thomas Hunter. Following discussion, the proposal was adopted on a voice vote, retitled COUNCIL RESOLUTION NO. 6, 1979, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 6, 1979

A COUNCIL RESOLUTION confirming Board and Commission appointments effective January 22, 1979.

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

SECTION 1. As members of the Board of Zoning Appeals I, the Council appoints:
Albert Kingham
Thomas Hunter

SECTION 2. As members of the Board of Zoning Appeals II, the Council appoints:
T. J. Schmitz
Clarence Prentice

SECTION 3. As members of the Board of Zoning Appeals III, the Council appoints:
Betty Helmuth
Millard Jones

SECTION 4. As a members of the Economic Development Commission, the Council appoints:

Urban L. Uebelhoer

SECTION 5. The foregoing appointments, with the exception of the Economic Development Commission appointment, shall each be for terms of one (1) year beginning January 1, 1979, at the pleasure of the Council, and until their respective successors are appointed. The Economic Development Commission appointment shall be for a term of four (4) years beginning January 31, 1979 and ending January 31, 1983, at the pleasure of the Council, and until a respective successor is appointed.

INTRODUCTION OF GUESTS

Councilman Howard introduced Mr. Ralph Dowe, Director, and members of the Wheeler Boys Club. Mr. and Mrs. Norman Travis from Lawrence Ward 27, were introduced by Councilman Dowden. Mr. Tinder introduced Superior Court Judge Charles Applegate.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 34, 1979. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County by amending Section 23-26(a) to provide employees increased vacation accrual after a certain number of years of experience;" and the President referred it to the Administration Committee.

PROPOSAL NO. 35, 1979. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 85, 1978, authorizing changes in the personnel compensation schedule of the Pike Township Trustee's Office;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 36, 1979. Introduced by Councilman SerVaas. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County by amending Section 20-9 to make the provision dealing with loiterers, unlawful assemblies, and vagrants more precise and workable;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 38, 1979. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional one hundred seven thousand one hundred eighty-one dollars (\$107,181) in the County General Fund for purposes of the Marion County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 39, 1979. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional forty thousand six hundred sixty-one dollars and thirty-five cents (\$40,661.35) in the County General Fund for purposes of the Marion County Sheriff's Community Corrections Center and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NOS. 41 - 49, 1979. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on January 18, 1979;" and the President referred them to the Committee of the Whole to be heard under Special Orders - Final Adoption.

MODIFICATIONS OF SPECIAL ORDERS

PROPOSAL NOS. 27 and 28, 1979. At the request of Mr. Tinder, consent was given to hear these proposals in conjunction with Proposal No. 29, 1979, since the three proposals' purpose was related.

[Clerk's Note: With permission of the Chair, Councilman Tintera left the Council meeting at this time.]

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 12, 1979. By consent, this proposal was advanced on the order of business. Mr. Schneider stated that the matter had been settled, and a lengthy public hearing was not required. The Council recessed to a Committee of the Whole at 7:48 p.m. for public hearing, and reconvened at 7:49. Proposal No. 16, 1979, was adopted by unanimous voice vote, retitled REZONING ORDINANCE NO. 16, 1979, and reads as follows:

**REZONING ORDINANCE NO. 16, 1979. 78-Z-205 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
5955 EAST 96TH STREET, INDIANAPOLIS**
Gene B. Glick, Inc. requests rezoning of 10.58 acres, being in D-2 district, to D-6 II classification to permit building apartments.

PROPOSAL NO. 413, 1978. Mr. Gilmer stated that this rezoning proposal was to be continued until February 5, 1979.

PROPOSAL NO. 521, 1978. No action was taken on this proposal reinstating the Human Rights Commission budget to include salary increases. It remained tabled.

PROPOSAL NO. 524, 1978. Councilman Schneider requested Superior Court Judge Charles Applegate to speak about the restoration of the Domestic Relations Counseling Bureau. Judge Applegate stated that the bureau was helpful to the court in recommending solutions to child custody and parent visitation rights. Mr. Hopkins, Director of the Bureau, stated an effort has been started toward more efficient record keeping and an evaluation of the Bureau's effectiveness. Mr. Kimbell moved, seconded by Mr. Howard, the previous question. The motion carried by unanimous voice vote. Mr. Schneider then moved the adoption of the committee recommendations version of Proposal No. 524, 1978. The motion carried by a unanimous voice vote. The Council recessed at 7:57 p.m. for public hearing, during which time Mr. Don Christenson spoke, stated that reinstatement was a 92% increase over budgetary figures. The Council reconvened at 7:59 p.m. Proposal No. 524, 1978, As Amended, was adopted on the following roll call vote; viz:

20 AYES: Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Mr. Page, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

4 NOES: Mr. Anderson, Mrs. Brinkman, Mrs. Coughenour, and Mr. Lyons.

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

Proposal No. 524, 1978, As Amended, was retitled FISCAL ORDINANCE NO. 8, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 8, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 81, 1978) transferring and appropriating an additional thirty-five thousand dollars (\$35,000) in the County General Fund for purposes of the Domestic Relations Counseling Bureau and reducing certain other appropriations for that office and 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 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of restoration of this budget at the level originally requested so that monies will be available for the operation of this agency the entire year of 1979.

SECTION 2. The sum of thirty-five thousand dollars (\$35,000) 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:

| DOMESTIC RELATIONS COUNSELING BUREAU | | COUNTY GENERAL FUND |
|---|-----------------|---------------------|
| 10. Personal Services | | \$31,700 |
| 21. Contractual Services | | 2,500 |
| 22. Supplies | | 150 |
| 24. Current Charges | | 650 |
| | TOTAL INCREASES | <u>\$35,000</u> |

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

| DOMESTIC RELATIONS COUNSELING BUREAU | | COUNTY GENERAL FUND |
|---|---------------------|---------------------|
| 50. Properties | | \$ 200 |
| Unappropriated and unencumbered | | |
| | County General Fund | <u>34,800</u> |
| | TOTAL REDUCTIONS | <u>\$35,000</u> |

SECTION 5. Section 2.03(b) of the 1979 Annual Budget is hereby amended to read as follows:

(b) County Judicial Departments. The maximum number of personnel and the maximum salaries authorized for each of the County Judicial Departments are limited as set forth in the following schedules, provided that the total salaries paid for employees in each office shall not exceed the total appropriation as stated:

(3) DOMESTIC RELATIONS COUNSELING BUREAU

| Personnel Classification | Maximum Number | Maximum Salary | Maximum Per Classification |
|-----------------------------|-------------------|-------------------|-------------------------------|
| Administrator | 1 | 20,000 | 20,000 |
| Executive Secretary | 1 | 9,123 | 8,991 |
| Chief Counselor | 1 | 16,500 | 16,500 |
| Consultants | | | 21,200 |
| Temporary Salaries | — | | 500 |
| | 3 | | |

The official responsible for hiring and fixing salaries for this office shall limit the number of personnel or the salaries or both so that the total salaries paid shall not exceed the amount of the total personal services appropriation of \$67,191.

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

PROPOSAL NO. 23, 1979. This proposal was amended by the adoption of the committee recommendations version on a unanimous voice vote. The Council recessed to a Committee of the Whole at 8:03 p.m. for public hearing, and reconvened at 8:04 p.m. Following a brief discussion, Proposal No. 23, 1979, As Amended, transferring funds in the budget of Superior Court IV, was adopted on the following roll call vote; viz:

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

NO NOES.

1 NOT VOTING: Mr. Clark.

Proposal No. 23, 1979, As Amended, was retitled FISCAL ORDINANCE NO. 9, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 9, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional two thousand seven hundred dollars (\$2,700) in the County General Fund for purposes of Superior Court — Civil Division, Room IV, and reducing certain appropriations for Court Administration.

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 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of acquiring sufficient funds for necessary office supplies and equipment.

SECTION 2. The sum of two thousand seven hundred dollars (\$2,700) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing certain appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

| | | |
|--|------------------------|----------------------------|
| SUPERIOR COURT — CIVIL DIVISION | | |
| | ROOM FOUR | COUNTY GENERAL FUND |
| 22. | Supplies | \$1,600 |
| 50. | Properties | <u>1,100</u> |
| | TOTAL INCREASES | \$2,700 |

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

| | | |
|-----------------------------|-------------------------|----------------------------|
| COURT ADMINISTRATION | | COUNTY GENERAL FUND |
| 21. | Contractual Services | \$1,200 |
| 50. | Properties | <u>1,500</u> |
| | TOTAL REDUCTIONS | \$2,700 |

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

PROPOSAL NOS. 27, 28, and 29, 1979. Mr. Tinder explained all three proposals concerned the transfer of the administration of CDA grants from the Department of Administration to the Department of Metropolitan Development. Since DMD does the majority of the preparation for the grants, administratively, it is better that that department complete the administration of human resources programs. The Council recessed at 8:08 p.m. for public hearing on Proposal No. 29, 1979, and reconvened at 8:09 p.m. Following discussion, Proposal Nos. 27, 28, and 29, 1979, were adopted on the respective roll call votes; viz:

Proposal No. 27, 1979

23 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. Miller, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

3 NOT VOTING: Mr. Cantwell, Mr. Lyons and Mr. Page.

Proposal No. 28, 1979

25 AYES: Mr. Anderson, 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. Page, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

1 NOT VOTING: Mr. Miller.

Proposal No. 29, 1979

22 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

4 NOT VOTING: Mr. Boyd, Mr. Hawkins, Mr. Lyons and Mr. Page.

Proposal Nos. 27, 28 and 29, 1979, were retitled GENERAL ORDINANCE NO. 8, 1979, FISCAL ORDINANCE NOS. 12 and 10, 1979, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 8, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by adding a new Division 4 to Article V of Chapter 2, thereby transferring from the community services division of the department of administration to the office of the director of the department of metropolitan development the authority to receive and distribute proceeds from community development grants.

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

SECTION 1. Article V of chapter 2 of the Code of Indianapolis and Marion County is hereby amended by adding a new Division 4 to read as follows:

Division 4: The Department of Metropolitan Development

Sec. 2-226. Divisions.

The department of metropolitan development shall be divided into the office of the director, the planning and zoning division, the housing division, the urban renewal division, the buildings division, the code enforcement division, and the historic preservation division.

Sec. 2-227. Community Development Grants.

(a) The office of the director of the department of metropolitan development is hereby designated and authorized to receive and distribute all funds received by the city pursuant to an act of the United States Congress entitled the "Housing and Community Development Act of 1974" (Pub. L. 93-383), as amended, or the "Housing and Community Development Act of 1977" (Pub. L. 94-128), as amended.

(b) The director of the department of metropolitan development shall not be required to obtain approval by the metropolitan development commission with respect to the receipt and distribution of the funds described in subsection (a).

(c) Notwithstanding subsections (a) and (b), the mayor shall have the authority to execute agreements for the funds described in subsection (a).

SECTION 2. Section 2-218 of Division 2 of Article V of Chapter 2 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined and deleting the words crosshatched as follows:

Sec. 2-218. Community service division created.

~~Whereas the comprehensive city demonstration program (herein referred to as the "comprehensive program") for the model neighborhood of the city was approved by Special Resolution No. 24-70 adopted August 13, 1970, pursuant to which a grant agreement with the United States of America was executed on August 24, 1970, providing for federal financial assistance to the comprehensive program under Title I of the Demonstration Cities and Metropolitan Development Act of 1966, and whereas the secretary of housing and urban development approved a second year program and a planned variation extension of the comprehensive program (hereinafter referred to as the community services program as created in city county Special Resolution No. 42, Section 2, 1971) and tendered a revised grant budget providing for an additional grant to the consolidated city which was accepted by the mayor of the consolidated city pursuant to the authority vested in the mayor to accept such grant by the city county Special Resolution No. 42, Section 3, 1971, which community services program is subject to the administration of the mayor or his designee as provided for by city county Special Resolution No. 42, Sections 5 and 6, 1971. There is hereby created in the department of administration the community services division which shall function as a division of the department of administration. The community services division shall continue to administer the federal grant executed by the mayor of the consolidated city and the secretary of the department of housing and urban development and presently administered by community services program. Except where provision is made to the contrary for a particular program, the division shall administer all human services programs of the City. Further, the division may receive special revenue sharing funds or other grants. Sources of funds for use in human services programs shall include but not be limited to distributions made by~~

~~the office of the director of the department of metropolitan development. The mayor of the consolidated city shall continue to have the authority to execute agreements for federal funds for the division with the department of housing and urban development of the United States of America and other applicable federal, state and local agencies. The division shall have an administrator who shall be appointed by and serve at the pleasure of the director, department of administration. The community services division shall have the same authority as all other divisions of the city with respect to the management of personnel, allocation of division budget(s), purchasing of necessary materials and supplies, entering into contracts necessary for the achievement of the division goals, and the administration of any other matters necessary to the proper functioning of the division which are not inconsistent with the established federal, state and local laws. The administrator shall be assisted in the administration of funds under the federal grants by any necessary personnel of the consolidated city as deemed necessary and approved by the director of the department of administration.~~

SECTION 3. It is not the intent of the Council that this ordinance disrupt the operations of the community services division of the department of administration rather, it is the intent of the Council that this ordinance merely transfer certain authority of the community services division of the department of administration to the office of the director of the department of metropolitan development. To the extent necessary to avoid disrupting the operation of the community services division, the expressed or implied amendment by this ordinance of any other ordinance does not affect any rights accrued, liabilities accrued, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued as if this ordinance had not been adopted.

SECTION 4. This ordinance shall be in effect from and after its passage by the council, compliance with IC 18-4-5-2, and approval by the State Board of Accounts of Fiscal Ordinance No. 12, 1979.

CITY—COUNTY FISCAL ORDINANCE NO. 12, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating two hundred twenty-three thousand seven hundred fifty-five dollars (\$223,755) in the Community Services Fund for purposes of the Division of Community Services 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 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of allowing for the Community Development Administration to contract with the Division of Community Services for Human Resource needs.

SECTION 2. The sum of two hundred twenty-three thousand seven hundred fifty-five dollars (\$223,755) 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:

| | | |
|-------------------------------------|------------------------|---------------------------|
| METROPOLITAN DEVELOPMENT | | |
| COMMUNITY DEVELOPMENT ADMIN. | | COMMUNITY SERVICES |
| 21. | Contractual Services | \$223,755 |
| | TOTAL INCREASES | \$223,755 |

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

| COMMUNITY DEVELOPMENT ADMIN. | COMMUNITY SERVICES FUND |
|------------------------------|-------------------------|
| 10. Personal Services | \$161,949 |
| 22. Supplies | 7,440 |
| 24. Current Charges | 31,238 |
| 25. Current Obligations | 22,128 |
| 50. Properties | <u>1,000</u> |
| TOTAL REDUCTIONS | \$223,755 |

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

CITY—COUNTY FISCAL ORDINANCE NO. 10, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional one million four hundred four thousand five hundred ninety dollars (\$1,404,590) in the City General Fund for purposes of the Division of Community Services and reducing the unappropriated and unencumbered balance in the City 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 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of establishing the Division of Community Services as administrator of human resources programs separate from the Community Development administrative section.

SECTION 2. The sum of one million four hundred four thousand five hundred ninety dollars (\$1,404,590) 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:

| DIVISION OF | CITY GENERAL FUND |
|--------------------------|-------------------|
| COMMUNITY SERVICES | |
| 10. Personal Services | \$ 161,950 |
| 21. Contractual Services | 1,180,834 |
| 22. Supplies | 7,440 |
| 24. Current Charges | 31,238 |
| 25. Current Obligations | 22,128 |
| 50. Properties | <u>1,000</u> |
| TOTAL INCREASES | \$1,404,590 |

SECTION 4. The said additional appropriations are funded by the following reduction:
CITY GENERAL FUND

| | |
|---------------------------------|--------------------|
| Unappropriated and unencumbered | |
| City General Fund | <u>\$1,404,590</u> |
| TOTAL REDUCTIONS | \$1,404,590 |

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. 545, 1978. Mr. Tinder moved, seconded by Mr. Howard, the adoption of this proposal encouraging the major automobile manufacturers to imprint identifying numbers on automobile accessories. The motion carried by unanimous voice vote. The proposal was retitled COUNCIL RESOLUTION NO. 9, 1979, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 9, 1979

A COUNCIL RESOLUTION urging the imprinting of identifying numbers on automobile accessories, including hubcaps.

WHEREAS, an automobile is a major expense to a citizen, and any uncompensated loss therefrom due to theft is unfortunate in these inflationary times; and

WHEREAS, from January through October of this year there were 4,759 reported thefts of accessories, including hubcaps, from vehicles in Indianapolis; and

WHEREAS, the City-County Council supports all reasonable steps to suppress such thefts; now, therefore:

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

SECTION 1. Manufacturers of motor vehicles are urged to imprint serial numbers on hubcaps and other automobile accessory parts.

SECTION 2. Where this is infeasible, each private owner be urged to imprint serial numbers on his hubcaps and other automobile accessory parts, as an aid to proper location of such stolen parts, and for apprehension and prosecution of the thieves.

SECTION 3. Copies of this resolution will be sent to the major automobile manufacturers and all members of Congress.

PROPOSAL NO. 477, 1978. Due to the absence of Economic Development Committee Chairman Tintera, the proposal was postponed until February 5, 1979.

PROPOSAL NO. 20, 1979. After a brief committee report concerning the changing of the personnel schedule for the Decatur Township Assessor's Office, Proposal No. 20, 1979, was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, 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. Page, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, and Mr. Walters.

NO NOES.

3 NOT VOTING: Mrs. Brinkman, Mr. Miller and Mr. West.

Proposal No. 20, 1979, was retitled FISCAL ORDINANCE NO. 11, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 11, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET for 1979 (City-County Fiscal Ordinance No. 91, 1978) authorizing changes in the personnel compensation schedule (Section 2.03) of the Decatur Township Assessor's Office.

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

SECTION 1. Section 2.03(d) of City-County Fiscal Ordinance No. 91, 1978 be amended by deleting the crosshatched portions and adding the new amounts herein:

(2) DECATUR TOWNSHIP ASSESSOR

| Personnel Classification | Maximum Number | Maximum Salary | Maximum Per Classification |
|--------------------------|----------------|----------------|----------------------------|
| Deputies | 4 | 10,360 | 36,000 37,504 |
| Temporary Salaries | | | 119,448 7,943 |

The official responsible for hiring and fixing salaries for this office shall limit the number of personnel or the salaries or both so that the total salaries paid shall not exceed the amount of the total personal services appropriation of \$63,147. SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 518, 1978. By consent of the sponsor, Councilman Howard, this proposal was withdrawn.

PROPOSAL NO. 32, 1979. In the absence of Transportation Chairman McGrath, Mrs. Stewart reported that the committee recommended passage of this proposal creating a no parking zone on a portion of Pershing Avenue since it was a high accident rate area. Proposal No. 32, 1979, was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, 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. Page, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, and Mr. Walters.

NO NOES.

4 NOT VOTING: Mrs. Brinkman, Mr. Miller, Mr. Schneider, and Mr. West.

Proposal No. 32, 1979, was retitled GENERAL ORDINANCE NO. 5, 1979, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 5, 1979

A GENERAL ORDINANCE prohibiting parking at all times on a certain portion of Pershing Avenue [Amends Code Section 29-267].

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

PART I

Chapter 29 of the "Code of Indianapolis and Marion County," specifically "Sec. 29-267. ~~Parking~~ prohibited at all times on certain streets," be and the same is hereby amended by the addition of the following, to wit:

Pershing Avenue, on the west side,
from the north curbline of Fourteenth Street
to a point forty-five feet north on Pershing Avenue.

PART II

Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County" for violations of the section amended by this ordinance.

PART III

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

PROPOSAL NO. 33, 1979. Councilman Cantwell, sponsor, reported on this proposal. The initiation of this proposal was from area residents who presented a petition to the Council after four fatal accidents had occurred at the corner of South Keystone and Walker Avenues. Proposal No. 33, 1979, was adopted on the following roll call vote; viz:

16 AYES: Mr. Anderson, Mr. Boyd, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder and Mr. Vollmer.

NO NOES.

10 NOT VOTING: Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mr. Miller, Mr. Page, Mr. Walters and Mr. West.

Proposal No. 33, 1979, was retitled GENERAL ORDINANCE NO. 6, 1979, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 6, 1979

A GENERAL ORDINANCE establishing an intersection control at a certain intersection [Amends Code Section 29-92].

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

PART I

Chapter 29 of the "Code of Indianapolis and Marion County," specifically "Sec. 29-92. Schedule of intersection controls," be, and the same is hereby amended by the addition of the following, to wit:

| BASE MAP | INTERSECTION | PREFERENTIAL | TYPE OF CONTROL |
|--------------|----------------------------|--------------|-----------------|
| No 32, Pg 12 | S. Keystone Av & Walker Av | None | Signal |

PART II

Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County" for violations of the sections amended by this ordinance.

PART III

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

PROPOSAL NO. 406, 1978. Councilman Gilmer moved, seconded by Mr. Cantwell, the adoption of the committee recommendations version entitled: "Proposal No. 406, 1978, Technical Amended, Revision I". The motion carried on a voice vote. This proposal amends the Code so that now any permit for use of the park for a concert or theatrical performance must be granted by the Board instead of just the Director. Following discussion, during which Mr. Lyons stated his opposition, Proposal No. 406, 1978, As Amended, was adopted on the following roll call vote; viz:

21 AYES: Mr. Anderson, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

4 NOES: Mr. Boyd, Mrs. Journey, Mr. Lyons, and Mr. Page.

1 NOT VOTING: Mrs. Brinkman.

Proposal No. 406, 1978, As Amended, was retitled GENERAL ORDINANCE NO. 7, 1979, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 7, 1979

A GENERAL ORDINANCE amending Sec. 22-20(5) of the Code of Indianapolis and Marion County by the addition of provisions concerning the regulation of the use of parks for concerts and theatrical performances.

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

SECTION 1. Section 22-20(5) is hereby amended by inserting the words underlined as follows:

5(a) Areas for concerts and theatrical performances:

The Board of Parks and Recreation is authorized and empowered to issue a permit restricting or setting aside all such various areas of the city parks, upon specified and reasonably limited occasions or period of time for concerts or theatrical performances or for some other similar purpose, and may prohibit the use of any or all such areas by other persons at any such times, except for such use thereof which is prescribed and then allowed for any such area.

(b) Administrative finding:

The Board of Parks and Recreation shall require from any person or organization desiring a permit pursuant to Sec. 22-20(5)(a) an application which sets forth all relevant information concerning the proposed permit. The Board shall not grant such a permit unless the Board of Parks and Recreation affirmatively finds that all of the following standards are met:

1. Adequate sanitation services for the estimated attendance will be available.
2. Adequate parking facilities for the estimated attendance will be available.
3. Permittee shall provide security adequate to protect the health, safety and general welfare of the public.

Failure to have complied with prior permits shall be deemed adequate grounds to deny a permit.

(c) Security Bond or Deposit:

The Board of Parks and Recreation upon the recommendation of the Director may request from any person or organization desiring a permit pursuant to Section 22-20(5)(a) a security deposit or bond to secure reimbursement to the City of any (1) expenses incurred by the City as a result of providing police protection for the persons attending the event for which the permit is requested (2) expenses incurred by the City in the form of clean-up expenses or repairs to damaged property which expenses are incurred as a result of actions of persons attending the event for which the permit is requested.

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

PROPOSAL NO. 30, 1979. Mr. Tinder stated that on a party line vote, the Rules & Public Policy Committee recommended striking this proposal, 3-2. Mr. Boyd appealed to the forward-looking Republicans to establish a policy of more minority participation. Following discussion, during which Councilmen Miller and Clark voiced their opposition to the proposal, it was stricken on the following roll call vote; viz:

15 AYES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. Lyons, Mr. Miller, Miss Parker, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, and Mr. West.

8 NOES: Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Journey, Mr. Page, Mr. Pearce, Mr. Vollmer and Mr. Walters.

3 NOT VOTING: Mrs. Brinkman, Mr. Hawkins, and Mr. Howard.

PROPOSAL NO. 31, 1979. Mr. Tinder moved, seconded by Mr. Clark, to strike this proposal. Mr. Clark stated that minority input was considered in the Committee on Committees of which the minority leader was a member. Mr. Boyd voiced his support of the proposal. The proposal, however, was stricken on the following roll call vote; viz:

16 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. Lyons, Mr. Miller, Miss Parker, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder and Mr. West.

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

PROPOSAL NO. 24, 1979. In the absence of Mr. Tintera, Mr. Miller presented a brief Economic Development Committee report which recommended the adoption of this proposal. Mr. Miller moved, seconded by Mr. Schneider, to amend Proposal No. 24, 1979, by adopting the committee recommendations version. The motion carried by unanimous voice vote. The amended proposal was then adopted on the following roll call vote; viz:

22 AYES: *Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer and Mr. West.*

NO NOES.

4 NOT VOTING: *Mr. Cantwell, Mr. Gilmer, Mr. Page and Mr. Walters.*

Proposal No. 24, 1979, As Amended, was retitled SPECIAL ORDINANCE NO. 1, 1979, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 1, 1979

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1978 (Payless Cashways, Inc. Project)" in the Principal amount of seven hundred fifty thousand dollars (\$750,000) 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 Payless Cashways, Inc., and the Metropolitan Development 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 January 5, 1979, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities of Payless Cashways, Inc. 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 to the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of Loan Agreement and Mortgage and Indenture of Trust (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 Loan Agreement, previously approved the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Payless Cashways, Inc., for the purpose of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana and the repayment of said loan by Payless Cashways, Inc., to be evidenced and secured by a promissory note of Payless Cashways, Inc., will be of benefit to the health and welfare 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 Loan Agreement and Mortgage and Indenture of Trust 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 Economic Development First Mortgage Revenue Bonds, Series 1978 (Payless Cashways, Inc. Project) in the total principal amount of seven hundred fifty thousand dollars (\$750,000) for the purpose of procuring funds to loan to the Payless Cashways, Inc. in order finance the economic development facilities, as more particularly set out in the Mortgage and Indenture of Trust and Loan Agreement, incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Payless Cashways, Inc. on its promissory note in the aggregate principal amount of seven hundred fifty thousand dollars (\$750,000) which will be executed and delivered by the Company to evidence and secure said loan, and from other sources under the Loan Agreement, or as otherwise provided in the above described Mortgage and Indenture of Trust. 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 the purchasers thereof at a rate of interest on the Bonds not to exceed 7.00% per annum and at a price not less than 100% of the principal amount thereof.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein, and their execution is hereby confirmed, 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. 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 Mortgage and Indenture of Trust.

SECTION 6. The provisions of the ordinance and the Mortgage and Indenture of Trust securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1978 (Payless Cashways, Inc. Project), 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 7. This ordinance shall be in full force and effect from and after compliance with procedure required by Indiana Code 18-4-5-2.

PROPOSAL NO. 25, 1979. After motion duly made and seconded, the committee recommendations version was adopted by unanimous voice vote. This proposal authorizing economic development bonds for Consolidated Freightways was then adopted on the following roll call vote; viz:

23 AYES: *Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. Miller, Mr. Page, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.*

NO NOES.

3 NOT VOTING: *Mr. Campbell, Mr. Cantwell, and Mr. Hawkins.*

Proposal No. 25, 1979, As Amended, was retitled SPECIAL ORDINANCE NO. 2, 1979, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1979

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Industrial Development Revenue Bonds (Consolidated Freightways Corporation of Delaware Project) Series B" in the principal amount of one million eight hundred thousand dollars (\$1,800,000) 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 Development 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 January 5, 1979, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for 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 to the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of Supplemental Installment Sale Agreement, Supplemental Trust Indenture, Supplemental Installment Purchase Guaranty Agreement, Official Statement, and Underwriting Agreement (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 Supplemental Installment Sale 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 economic development facilities under construction or to be constructed in Indianapolis, Indiana and the sale to Consolidated Freightways Corporation of Delaware will be of benefit to the health and welfare 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 Supplemental Installment Sale Agreement, Supplemental Trust Indenture, Supplemental Installment Purchase Guaranty Agreement, Official Statement and Underwriting Agreement 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 B in the total principal amount of one million eight hundred thousand dollars (\$1,800,000) for the purpose of financing the economic development facilities, as more particularly set out in the Supplemental Installment Sale Agreement, Supplemental Trust Indenture and Supplemental Installment Purchase Guaranty Agreement, 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 Supplemental Installment Sale Agreement in the aggregate principal amount of one million eight hundred thousand dollars (\$1,800,000) which will be executed and delivered by the Company to evidence and secure said loan, from payments made by Consolidated Freightways, Inc., a Delaware corporation, pursuant to the Supplemental Installment Purchase Guaranty Agreement, and from other sources under the Supplemental Installment Sale Agreement, or as otherwise provided in the above described Supplemental 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 and Gauntt, Inc., as Underwriter, at a rate of interest on the Bonds not to exceed 8.00% per annum and at a price of 98% of the principal amount thereof.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein, and their execution is hereby confirmed, 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. 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 Supplemental Trust Indenture.

SECTION 6. The Official Statement of the City of Indianapolis for the Series B financing is hereby approved and the distribution of the Official Statement by Thornton, Farish & Gauntt, Inc. to prospective purchasers is also hereby approved.

SECTION 7. The provisions of the Ordinance and the Supplemental 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 B 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 Indiana Code 18-4-5-2.

PROPOSAL NO. 26, 1979. Mr. Miller reported that this proposal authorizes economic development bonds for Lane Bryant, Inc. in the amount of \$1,000,000. Proposal No. 26, 1979, was then 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. Gilmer, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. Miller, Mr. Page, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

1 NOT VOTING: Mr. Hawkins.

Proposal No. 26, 1979, was retitled SPECIAL ORDINANCE NO. 3, 1979, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 3, 1979

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1979 (Lane Bryant, Inc. Project)" in the principal amount of one million dollars (\$1,000,000) and approving other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered its Project Report for the Lane Bryant, Inc. Project regarding the financing of proposed economic development facilities for Lane Bryant, Inc. and the Metropolitan Development Commission has commented favorably thereon; and

WHEREAS, the Indianapolis Economic Development Commission conducted a public hearing on January 5, 1979, and also adopted a Resolution on January 5, 1979, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Lane Bryant, Inc. complies with the purposes and provisions of IC 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 heretofore approved and recommended the adoption of this form of ordinance by this City-County Council and has approved the forms of and has transmitted for approval by the City-County Council the Loan Agreement, Indenture of Trust, Purchase Agreement and Official Statement; 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 Loan Agreement approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the lending of the net proceeds of the revenue bonds to Lane Bryant, Inc. for the construction of such facilities and equipping thereof, complies with the purposes and provisions of IC 18-6-4.5 and will be of benefit to the health and welfare of the City of Indianapolis and its citizens.

SECTION 2. The final forms of the Loan Agreement and Indenture of Trust approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in IC 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.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1979 (Lane Bryant, Inc. Project), in the total principal amount of one million dollars (\$1,000,000) for the purpose of procuring funds to pay the costs of construction and equipping of the economic development facilities as more particularly set out in the Indenture of Trust and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from loan repayments under the Note and Loan Agreement and from other revenues and income as provided in the above described Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Indianapolis.

SECTION 4. The form of Bond Purchase Contract between the City of Indianapolis and Stephens Inc. and the form of Official Statement to be used in marketing the Bonds is approved. The Mayor and Clerk are authorized and directed to execute such Bond Purchase Contract on behalf of the City of Indianapolis.

SECTION 5. The Mayor and Clerk are authorized and directed to execute, on behalf of the City, the documents constituting the Financing Agreement approved herein, the Bonds, the Official Statement and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk and/or Controller are authorized to arrange for delivery of such Bonds to the Trustee named in the Indenture of Trust, payment for which will be made to the Trustee named in the Indenture of Trust and delivered by the Trustee to the purchasers thereof.

SECTION 6. The provisions of this ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Indianapolis and the holders of the Economic Development Revenue Bonds, Series 1979 (Lane Bryant, Inc. Project), and after the issuance of said bonds, this ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

PROPOSAL NOS. 41 - 49, 1979. No action was taken on these proposals. They were retitled REZONING ORDINANCES NOS. 17-25, 1979, and read as follows:

REZONING ORDINANCE NO. 17, 1979 78-Z-181 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3

12539 EAST 75TH STREET, INDIANAPOLIS

Frank Cole and Thomas E. Steele by Lincoln Homes, Inc., 150 South Madison Ave., Greenwood, Indiana request rezoning of 45.42 acres, being in A-2 district, to D-3 classification to permit residential use by platting.

REZONING ORDINANCE NO. 18, 1979 78-Z-196 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1

4945 WEST 71ST STREET, INDIANAPOLIS

Sun Oil Company requests rezoning of 0.98 acre, being in D-7 district to C-3 classification to permit a gasoline service station.

REZONING ORDINANCE NO. 19, 1979 78-Z-206 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1

5745 MOLLER ROAD, INDIANAPOLIS

Gene B. Glick Company, Inc. requests rezoning of 14.00 acres, being in A-2 district, to D-6 II classification to permit the construction of the third phase of The Woods Apartments.

REZONING ORDINANCE NO. 20, 1979 78-Z-214 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7

6485 NORTH KEYSTONE AVENUE, INDIANAPOLIS

Burke H. Mendenhall requests rezoning of 1.92 acres, being in C-S district, to C-4 classification to permit commercial development.

REZONING ORDINANCE NO. 21, 1979 78-Z-216 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25

4001-4005 SOUTH HARDING STREET, INDIANAPOLIS

Arley O. Farley and Rosalie B. Dick request rezoning of 1.93 acres, being in D-3 district, to I-3-S classification to provide for a dispatch office for semi-trucks and parking lot.

REZONING ORDINANCE NO. 22, 1979 78-Z-217 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 17

702 NORTH TIBBS AVENUE, INDIANAPOLIS

McCormick Lumber Company, Inc. by Thomas W. Miller, Trustee in Bankruptcy requests rezoning of 2.538 acres, being in I-3-U district, to C-7 classification to provide for the existing nonconforming use and expansion.

REZONING ORDINANCE NO. 23, 1979 78-Z-218 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5

7930 EAST 46TH STREET, INDIANAPOLIS

McCormick Lumber Company, Inc. by Thomas W. Miller, Trustee in Banruptcy requests rezoning of 2.48 acres, being in I-3-U district, to C-7 classification to provide for the existing nonconforming use and expansion.

REZONING ORDINANCE NO. 24, 1979 78-Z-223 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 10

3001 WINTHROP AVENUE, INDIANAPOLIS

Inner City Revitalization, Inc. by Duane Abel, Secretary-Treasurer, 1515 Collingswood Drive requests rezoning of 1.07 acres, being in D-5 district, to C-1 classification to provide for a day nursery facility.

REZONING ORDINANCE NO. 25, 1979 78-Z-225 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 23

3424 EAST RAYMOND STREET, INDIANAPOLIS

Irvin L. & Pearl E. Poynter request rezoning of 0.587 acre, being in D-4 district, to C-4 classification to permit commercial development.

ANNOUNCEMENTS AND ADJOURNMENT

The Chair announced that Councilman Thomas Pearce had been elected as the new minority leader. The following certification was submitted:

January 22, 1979

Mr. Beurt SerVaas, President
City-County Council
Room 241 City-County Building

CERTIFICATION OF MINORITY LEADER ELECTION

Dear Mr. SerVaas:

This is to certify that on Monday, January 22, 1979, the Minority Caucus held its election for Minority Leader at 6:00 p.m. in Room 260 of the City-County Building.

Councilman Thomas E. Pearce was elected Minority Leader by a vote of 6-4.

Sincerely,

s/Kenneth T. Roberts

ACCEPTANCE:

I, Thomas E. Pearce, hereby accept the position of Minority Leader pursuant to the vote of the Caucus.

s/Thomas E. Pearce

President SerVaas announced the Ground Hog Day Press Roast. Certain notable area politicians will roast the press on February 1st at the Indianapolis Press Club.

There being no further business, upon motion duly made and seconded, the meeting adjourned at 8:53 p.m.

ATTEST:

President

Beurt SerVaas

Joseph J. Keppel
Clerk of the City-County Council

(SEAL)