

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, October 1, 1979**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building, at 7:14 p.m., Monday, October 1, 1979, President SerVaas in the Chair. Councillor David Page opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

President SerVaas instructed the Clerk to take the roll. Twenty-seven members being present, he announced a quorum. The roll was as follows:

PRESENT: *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. Page, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West*

ABSENT: *Mr. Cantwell, and Ms. Parker*

OFFICIAL COMMUNICATIONS

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

**TO ALL 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 1, 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**

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 September 21, 1979, and September 28, 1979, a copy of NOTICE OF PUBLIC HEARING ON ZONING on Proposal No. 445, 1979, to be held on Monday, October 1, 1979, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

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. 106, 1979, adopting the City-County Annual Budget for 1980, appropriating amounts necessary to defray expenses for the operation of every facet of government of the Consolidated City of Indianapolis and of Marion County, for the calendar and fiscal year beginning January 1, 1980, and ending December 31, 1980, establishing the method of financing such expenses by allocating anticipated revenues and expenses, and establishing salaries, wages, and compensation rates and limitations with respect to certain employees of the City and County.

FISCAL ORDINANCE NO. 107, 1979, levying taxes and fixing the Rate of Taxation for the purpose of raising revenue to meet the necessary expenses of Indianapolis and Marion County Government and its institutions for the calendar year 1980.

FISCAL ORDINANCE NO. 108, 1979, amending the City-County Annual Budget for 1979, authorizing changes in the personnel compensation schedule of the Marion County Welfare Department.

FISCAL ORDINANCE NO. 109, 1979, amending the City-County Annual Budget for 1979, to provide for adjustments in the personnel schedule of the Superior Court (Juvenile Division) and Juvenile Center without requiring additional funds.

SPECIAL RESOLUTION NO. 36, 1979, authorizing and directing the appropriate officers of Marion County to cause to be prepared and executed an appeal to the State Board of Tax Commissioners and the Indiana Local Government Tax Control Board for authority for excess levies for Marion County.

GENERAL ORDINANCE NO. 103, 1979, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 104, 1979, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 105, 1979, establishing intersection controls at certain intersections and designating the speed limit on a portion of Pike Plaza Road as 40 miles per hour.

GENERAL ORDINANCE NO. 106, 1979, amending the Code of Indianapolis and Marion County, Indiana, prohibiting parking on portions of Fletcher Avenue.

GENERAL ORDINANCE NO. 107, 1979, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 108, 1979, providing for passenger and material loading zones for various establishments on Monument Circle.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

PRESENTATION OF PETITIONS, MEMORIALS SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 490, 1979. President SerVaas read the proposal entitled: "A Proposal for a Special Resolution calling upon the Indianapolis Board of School Commissioners and the membership of the Indianapolis Education Association to resolve their current contract dispute and resume the education of children in Indianapolis." President SerVaas moved for adoption of this proposal, seconded by Councillor Howard. After discussion, Proposal No. 490, 1979, was adopted by unanimous voice vote. Proposal No. 490, 1979 was retitled SPECIAL RESOLUTION NO. 37, 1979, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 37, 1979

A SPECIAL RESOLUTION calling upon the Indianapolis Board of School Commissioners and the membership of the Indianapolis Education Association to resolve their current contract dispute and resume the education of children in Indianapolis.

WHEREAS, Indianapolis is now entering the fifth week of a protracted strike by the members of the Indianapolis Education Association against the Indianapolis Board of School Commissioners; and

WHEREAS, the public is confused by conflicting statements from both sides concerning the facts and issues at hand; and

WHEREAS, the positions of both the Indianapolis Board of School Commissioners and the leadership of the Indianapolis Education Association appear to be far from agreement; and

WHEREAS, in all the turmoil and debate, the single most fundamental principal for the creation and existence of our educational establishment, that of the education of children, has been neglected; and

WHEREAS, the community cannot tolerate this unresolved dispute in that it tears at one of the most important ingredients of the quality of life in Indianapolis, namely, a quality public school system that works, 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 joins the Mayor in calling upon the Indianapolis Board of School Commissioners and the Indianapolis Education Association to resolve the dispute with dispatch by negotiating constructively about the issue.

SECTION 2. The City-County Council joins the Mayor in urging that upon the resolution of this strike, all who have participated come forth with their best efforts to educate the children in a healthy, harmonious climate, one without animosity and resentment.

INTRODUCTION OF GUESTS

Councillor Anderson asked all persons present interested in the firearms ordinance, Proposal No. 234, 1979, to stand. Councillor Gilmer introduced Mr. Gerald Trout from the Marion County Sheriff's Department. Councillor Page introduced Mr. Matthew Iaria, whose son he had just baptized.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 459, 1979. Introduced by Councillor Miller. 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 Three hundred twenty-three thousand nine hundred fifty dollars (\$323,950) in the City General Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing the unappropriated and unencumbered balance in the City General Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 460, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 85, 1978, to increase the number of personnel authorized for the Wayne Township Trustee;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 461, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the City-County General Ordinance No. 85, 1978, to increase the salaries and number of personnel authorized for the office of the Decatur Township Trustee;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 462, 1979. Introduced by Councillor Schneider. 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 Thirteen thousand five hundred seventy-two dollars (\$13,572) in the County General Fund for purposes of Central Data Processing and reducing certain other appropriations for that division;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 463, 1979. Introduced by Councillor Schneider. 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 Twenty-five thousand eight hundred dollars (\$25,800) in the County General Fund for purposes of Central Data Processing and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 464, 1979. Introduced by Councillor Schneider. 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 Two thousand two hundred ten dollars (\$2,210) in the County General Fund for purposes of the County Recorder and reducing certain other appropriations for the County Recorder;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 465, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance authorizing the City of Indianapolis to issue its "Economic Development First Lien Revenue Bonds Series 1979 (Anacomp, Inc. Project)" in the principal amount of One Million Dollars (\$1,000,000) and approving and authorizing other actions in respect thereto;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 466, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 467, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 468, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1979 (47 South Meridian Company Project)" in the principal amount of One Million Seven hundred and fifty dollars (\$1,750,000) and approving certain other actions in respect thereto;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 469, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1979 (Parahart Corporation Project)" in the principal amount of Six hundred thousand dollars (\$600,000) and approving and authorizing other actions in respect thereto;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 470, 1979. Introduced by Councillor 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 Ninety-one thousand four hundred ninety-nine dollars (\$91,499) in the Crime Control Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the Crime Control Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 471, 1979. Introduced by Councillor Cantwell. The Clerk read the proposal entitled: "A Proposal for a Special Resolution urging the closing of the landfill at Tibbs and Banta Roads;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 472, 1979. Introduced by Councillor Cantwell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance restricting truck traffic on a certain portion of Wicker Road. [Amends Code Section 29-224(d).];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 473, 1979. Introduced by Councillor Cantwell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance designating Monument Circle for twenty-minute parking. [Amends Code Section 29-267 and 29-272.];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 474, 1979. Introduced by Councillor Cantwell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting parking on Monument Circle. [Amends Code Section 29-267 and 29-268.];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 475, 1979. Introduced by Councillor Cantwell. The Clerk read the proposal entitled: "A Proposal for a Council Resolution effecting the closing of a certain Department of Transportation Garage;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 476, 1979. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing no parking on certain sections of Prague Road. [Amends Code Section 29-267.];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 477, 1979. Introduced by Councillor 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. 478, 1979. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections. [Amend Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 479, 1979. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting parking on portions of Burbank Road. [Amends Code Section 29-267.];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 480, 1979. Introduced by Councillor Kimbell. 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 Twenty-two thousand six hundred sixty-three dollars (\$22,663) in the County General Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 481, 1979. Introduced by Councillor Schneider. 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 Twelve thousand dollars (\$12,000) in the County General Fund for purposes of the Wayne Township Assessor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 482, 1979. Introduced by Councillor Kimbell. 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-seven thousand three hundred fifty-four dollars (\$47,354) in the County General Fund for purposes of the Municipal Court and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 483-486, 1979. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on September 24, 1979." President SerVaas referred Proposal Nos. 483-486, 1979, to the Committee of the Whole to be heard under Special Orders - Final Adoption.

PROPOSAL NO. 487, 1979. Introduced by Councillor 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-two thousand four hundred forty dollars (\$42,440) in the County General Fund for purposes of the County Sheriff and reducing certain other appropriations for the County Sheriff;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 488, 1979. Introduced by Councillor Kimbell. The Clerk read the proposal entitled: "A Proposal for a Special Resolution authorizing the officers of Marion County 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;" by consent of the Council, this proposal was heard by the Committee of the Whole under Special Orders - Final Adoption.

PROPOSAL NO. 489, 1979. Introduced by Councillor Kimbell. The Clerk read the proposal entitled: "A Proposal for a Special Resolution authorizing and directing the appropriate officers of the City-County Council and the Consolidated City of Indianapolis to cause to be prepared and executed an appeal to the State Board of Tax Commissioners requesting an increase in the tax rates, if necessary, so as not to reduce the levies of each taxing unit." By consent of the Council, this proposal was heard by the Committee of the Whole under Special Orders - Final Adoption.

MODIFICATION OF SPECIAL ORDERS

Councillor Tintera moved, seconded by Councillor Howard to hear Proposal Nos. 234, 262, 263, 414, 435, 1979 under Special Orders - Public Hearing on the agenda, due to public interest, and to advance Proposal No. 468, 1979 on the agenda. The motion carried by unanimous voice vote.

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 234, 1979. Councillor West gave the committee report, stating that this proposal repeals the current section of the Code concerning the use of firearms in Marion County. After discussion by the Councillors, during which Councillor Gilmer spoke in favor of the proposal, Councillor West moved to adopt the Committee Recommendations, seconded by Councillor Dowden; the motion carried by unanimous voice vote. Councillor Anderson voiced his opposition to the proposal and moved, seconded by Councillor McGrath, to strike Proposal No. 234, 1979, As Amended. The motion carried, and the proposal was stricken on the following roll call vote; viz:

16 AYES: Mr. Anderson, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mrs. Journey, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Mr. Schneider, Mrs. Stewart, Mr. Tintera, Mr. Walters

10 NOES: Mrs. Brinkman, Mr. Gilmer, Mr. Howard, Mr. Kimbell, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. West

3 NOT VOTING: Mr. Boyd, Mr. Cantwell, and Ms. Parker

[Clerk's Note: The Council recessed at 8:00 p.m. and reconvened at 8:07 p.m. Councillor Walters was excused from the Chambers at this time.]

PROPOSAL NOS. 262, 263, 1979. After the committee report, and brief discussion and explanation of each proposal, Councillor Tinder moved, seconded by Councillor Clark, to table Proposal Nos. 262, and 263, 1979 until the meeting of the Council on November 19, 1979. The motion carried by the following roll call vote; viz:

21 AYES: 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. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. West

4 NOES: Mr. Anderson, Mr. Page, Mr. Schneider, and Mr. Vollmer

4 NOT VOTING: Mr. Boyd, Mr. Cantwell, Ms. Parker, Mr. Walters

[Clerk's Note: Councillor Page was excused from the Council Chambers at 8:35 p.m.]

PROPOSAL NO. 414, 1979. This proposal establishes procedures and requirements for franchising cable television systems and regulation of their operations. Councillor Tinder reported that this proposal had been given the recommendation of the Rules & Policy Committee to be stricken. Councillor Howard moved to strike said proposal, seconded by Councillor Campbell. The motion to strike Proposal No. 414, 1979, failed on the following roll call vote; viz:

11 AYES: Mr. Campbell, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mrs. Stewart, Mr. Tintera, Mr. West

13 NOES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. McGrath, Mr. Miller, Mr. SerVaas, Mr. Tinder, Mr. Vollmer

5 NOT VOTING: Mr. Boyd, Mr. Cantwell, Mr. Page, Ms. Parker, Mr. Walters

Councillor Tintera then moved, seconded by Councillor Clark, to table Proposal No. 414, 1979, until the meeting of the Council on November 19, 1979. The motion carried on a voice vote.

PROPOSAL NO. 435, 1979. Councillor Tintera reported that this proposal authorizes the issuance of Economic Development First Mortgage Revenue Bonds in the amount of \$800,000 for Frederick and John Meyer. After discussion, Councillor Tintera moved, seconded by Councillor Brinkman, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 435, 1979, by deleting the introduced version, and substituting therefore, the proposal entitled: "Proposal No. 435, 1979, Committee Recommendations."

Councillor Tintera

Councillor Tintera then moved for adoption, seconded by Councillor Brinkman. Proposal No. 435, 1979, As Amended, was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Ms. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West

NO NOES

7 NOT VOTING: Mr. Boyd, Mr. Cantwell, Mrs. Coughenour, Mr. Page, Ms. Parker, Mr. Schneider, Mr. Walters

Proposal No. 435, 1979, As Amended, was retitled SPECIAL ORDINANCE NO. 8, 1979, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 8, 1979

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1979 (Frederick E. Meyer and John R. Meyer Project)" in the principal amount of Eight Hundred Thousand Dollars (\$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 regarding the proposed financing of economic development facilities for Frederick E. Meyer and John R. Meyer and the Metropolitan Development Commission of Marion County has been given the opportunity to comment thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 12, 1979, adopted a resolution on that date, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Frederick E. Meyer and John R. Meyer 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 approved the final forms of the Loan Agreement, Note, Lessee's Consent and Agreement to Lease Agreement, Collateral Assignment of Leases and Rentals, 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; 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 by 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 Frederick E. Meyer and John R. Meyer for the purpose of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana, the repayment of said loan by Frederick E. Meyer and John R. Meyer, to be evidenced and secured by the Note of Fredrick E. Meyer and John R. Meyer, 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, Note, Lessee's Consent and Agreement to Lease Agreement, Collateral Assignment of Leases and Rentals, and Mortgage 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 of the Council or City Controller.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 (Frederick E. Meyer and John R. Meyer Project), in the total principal amount of Eight Hundred thousand dollars (\$800,000) for the purpose of procuring funds to loan to Frederick E. Meyer and John R. Meyer in order to 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 Frederick E. Meyer and John R. Meyer on their Note in the aggregate principal amount of Eight Hundred Thousand Dollars (\$800,000) which will be executed and delivered to evidence and secure said loan, from other sources under the Loan Agreement and 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 a charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a rate of interest on the Bonds not to exceed 7.75% per annum and at a price not less than 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 may be facsimile signatures. The City Clerk or City Controller is authorized to arrange for 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 this 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 1979 (Frederick E. Meyer and John R. Meyer 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 compliance with procedure required by Indiana Code 18-4-5-2.

PROPOSAL NO. 468, 1979. Councillor Tintera stated that this proposal approves economic development bonds in the sum of \$1,750,000 for the 47 South Meridian Co. Project. Councillor Tintera stated that this proposal was heard in committee which recommended that the Council pass and amend the proposal technically. Councillor Tintera moved, seconded by Councillor Durnil, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 468, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 468, 1979, Committee Recommendations."

Councillor Tintera

The motion carried by unanimous voice vote. After further discussion, Proposal No. 468, 1979, As Amended was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, 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. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West

NO NOES

6 NOT VOTING: Mr. Boyd, Mr. Cantwell, Mr. Clark, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 468, 1979, As Amended, was retitled SPECIAL ORDINANCE NO. 9, 1979, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 9, 1979

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1979 (47 South Meridian Company Project)" in the principal amount of One Million Seven Hundred and Fifty Thousand Dollars (\$1,750,000) 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 47 South Meridian Company facilities, and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 24, 1979, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities of 47 South Meridian Company 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 the Loan Agreement, Mortgage and Indenture of Trust, Bond Purchase Agreement, Bond Guaranty Agreement, Note, and Assignment of Leases (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 by 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 47 South Meridian Company for the purposes of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana, and the repayment of said loan by 47 South Meridian Company, to be evidenced and secured by a promissory note of 47 South Meridian Company as well as a Bond Guaranty Agreement, Mortgage and Indenture of Trust and Assignment of Leases, 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, Mortgage and Indenture of Trust, Bond Purchase Agreement, Bond Guaranty Agreement, Note, and Assignment of Leases 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 or City Controller.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 (47 South Meridian Company Project) in the total principal amount of One Million Seven Hundred and Fifty Thousand dollars (\$1,750,000) for the purpose of procuring funds to loan to 47 South Meridian Company in order to 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 47 South Meridian Company on its promissory note in the aggregate principal amount of One Million Seven Hundred and Fifty Thousand Dollars (\$1,750,000) which will be executed and delivered by the Company to evidence and secure said loan, from other sources under the Loan Agreement, and as otherwise provided in the above described Mortgage and Indenture of Trust, Bond Guaranty Agreement, and Assignment of Leases. 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 8¼ 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 this 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 1979 (47 South Meridian Company 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. 445, 1979. Councillor Durnil reported that this proposal is for an amendment to existing Marion County Council Ordinance No. 8, 1957, As Amended, the Comprehensive Zoning Maps of Marion County, Indiana, updating the maps to include subsequent rezonings. After discussion, the Council recessed to a Committee of the Whole for a Public Hearing at 8:38 and reconvened at 8:39 p.m. Proposal No. 445, 1979, was then adopted on the following roll call vote; viz:

23 AYES: *Mr. Anderson, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, 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. West*

NO NOES

6 NOT VOTING: *Mr. Boyd, Mr. Cantwell, Mr. Kimbell, Mr. Page, Ms. Parker, Mr. Walters*

Proposal No. 445, 1979, was retitled GENERAL ORDINANCE NO. 109, 1979, and reads as follows:

GENERAL ORDINANCE NO. 109, 1979 79-AO-2 The Metropolitan Development Commission of Marion County, Indiana, proposes amendment to said Marion County Council Ordinance No. 8, 1957, as amended, the COMPREHENSIVE ZONING MAPS OF MARION COUNTY, INDIANA, adopted as an amendment thereto by Ordinance 77-AO-1, by the adoption of ORDINANCE 79-AO-2, AMENDING THE COMPREHENSIVE ZONING MAPS OF MARION COUNTY, INDIANA, updating said MAPS to include subsequent rezonings, to indicate the particular use classification of certain parcels zoned in the Special Use classification and to rezone particular parcels of land by Map designation (which MAPS are a part of said ordinance and incorporated therein by reference.)

PROPOSAL NO. 361, 1979. Councillor West reported that this proposal appropriates an additional \$32,092 for the County Sheriff for purposes of the Community Corrections Center. The Council recessed to a Committee of the Whole for a public hearing at 8:40 p.m. and reconvened at 8: 41 p.m. Proposal No. 361, 1979 was then adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, 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. West

NO NOES

6 NOT VOTING: Mr. Boyd, Mr. Cantwell, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 361, 1979, was retitled FISCAL ORDINANCE NO. 110, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional Thirty-two Thousand Ninety-two dollars (\$32,092) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Marion County Community Corrections Center.

SECTION 2. The sum of Thirty-two thousand ninety-two dollars (\$32,092) 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:

SHERIFF — 18	COUNTY GENERAL FUND	
10. Personal Services		\$30,125
AUDITOR — 02		
25. Current Obligations		<u>1,967</u>
TOTAL INCREASES		\$32,092

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

	COUNTY GENERAL FUND	
Unappropriated and Unencumbered		
County General Fund		<u>\$32,092</u>
TOTAL REDUCTIONS		\$32,092

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

PROPOSAL NO. 408, 1979. Councillor Schneider stated that this proposal appropriates an additional \$22,130 for salaries for the Civil Division, Room 5 employees. The Council recessed to a Committee of the Whole for a public hearing at 8:40 p.m. and reconvened at 8:41 p.m. After discussion, Councillor Schneider moved, seconded by Councillor Howard, to adopt Proposal No. 408, 1979. The proposal was then adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, 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. West

NO NOES

7 NOT VOTING: Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mr. Gilmer, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 408, 1979, was retitled FISCAL ORDINANCE NO. 111, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 111, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional Twenty-two thousand one hundred thirty dollars (\$22,130) in the County General Fund for purposes of Marion Superior Court, Civil Division, 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 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of paying salaries of persons employed by Marion Superior Court, Civil Division, Room 5, and the fringe benefits therefor.

SECTION 2. The sum of Twenty-two thousand one hundred thirty dollars (\$22,130) 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 SUPERIOR COURT	COUNTY GENERAL FUND
	CIVIL DIVISION ROOM 5	
10.	Personal Services	\$19,561
	COUNTY AUDITOR	
25.	Current Obligations	<u>2,569</u>
	TOTAL INCREASES	<u>\$22,130</u>

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

	COUNTY GENERAL FUND
	Unappropriated and Unencumbered
	County General Fund
	<u>\$22,130</u>
	TOTAL REDUCTIONS
	<u>\$22,130</u>

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

[Clerk's Note: Councillor Schneider requested that Proposal Nos. 351, 412, 464, 436, 462, 352, 460, 461, 1979 be advanced on the agenda and heard after Proposal No. 409, 1979; consent was granted. Councillor Boyd arrived at 9:00 p.m.]

PROPOSAL NO. 409, 1979. Councillor Schneider reported that this proposal transfers \$900 from Court Administration for the purposes of the Law Library; and that it had received a "do pass" recommendation from the County & Townships Committee. After discussion, Proposal No. 409, 1979 was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, 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. West

NO NOES

7 NOT VOTING: Mr. Cantwell, Mr. Clark, Mr. Gilmer, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Walters

Proposal No. 409, 1979, was retitled FISCAL ORDINANCE NO. 112, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 112, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Nine hundred dollars (\$900) in the County General Fund for purposes of the Law library and reducing certain other appropriations for the Court Administrator.

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 4.01 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of paying bills.

SECTION 2. The sum of Nine hundred dollars (\$900) 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:

LAW LIBRARY	COUNTY GENERAL FUND
21. Contractual Services	<u>\$900</u>
TOTAL INCREASES	\$900

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

COURT ADMINISTRATOR	COUNTY GENERAL FUND
10. Personal Services	<u>\$900</u>
TOTAL REDUCTIONS	\$900

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

PROPOSAL NO. 351, 1979. Councillor Schneider stated that this proposal is identical to Proposal No. 409, 1979; therefore, he moved that Proposal No. 351, 1979 be stricken, seconded by Councillor Anderson. The motion carried by unanimous voice vote.

PROPOSAL NO. 412, 1979. Councillor Schneider reported that this proposal transfers \$5,000 in the budget of the County Recorder for contractual personnel. After brief discussion, Proposal No. 412, 1979, was adopted on the following roll call vote; viz:

23 AYES: *Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, 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. West*

NO NOES

6 NOT VOTING: *Mrs. Brinkman, Mr. Cantwell, Mr. Gilmer, Mr. Page, Ms. Parker, Mr. Walters*

Proposal No. 412, 1979, was retitled FISCAL ORDINANCE NO. 113, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 113, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Five Thousand dollars (\$5,000) in the County General Fund for purposes of the County Recorder 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 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 adjusting the personnel schedule of the recorder and arranging contractual compensation.

SECTION 2. The sum of five thousand dollars (\$5,000) 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:

RECORDER	COUNTY GENERAL FUND
21. Contractual Services	<u>\$5,000</u>
TOTAL INCREASES	\$5,000

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

RECORDER	COUNTY GENERAL FUND
10. Personal Services	<u>\$5,000</u>
TOTAL REDUCTIONS	\$5,000

SECTION 5. Section 2.03 (a) (7) of the City-County Annual Budget for 1979 is amended by deleting the crosshatched words and figures and inserting the underlined, as follows:

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Deputies	2	15,341	27,021
Adm. Secretary	1	8,991	8,860
Technicians	9	10,471	72,684
Statistical Typists	3	7,581	22,743
Technical Clerks	10	9,326	82,918
Technical Mail Clerk	1	8,498	8,498
CETA	6	6,032	34,500
Temporary			4,000 9,000
	<u>32</u>		

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 ~~as of 2/29/1979~~ \$254,501.

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

PROPOSAL NO. 436, 1979. Councillor Schneider stated that this proposal appropriates \$1,000 in the County General Fund for purposes of the Court Administrator, and moved for its adoption. Proposal No. 436, 1979, after discussion, was then adopted on the following roll call vote; viz:

20 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer

1 NO: Mr. West

8 NOT VOTING: Mr. Cantwell, Mrs. Coughenour, Mr. Gilmer, Mrs. Journey, Mr. Page, Ms. Parker, Mr. SerVaas, Mr. Walters

Proposal No. 436, 1979, was retitled FISCAL ORDINANCE NO. 114, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 114, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional One thousand dollars (\$1,000) in the County General Fund for purposes of the Court Administrator and reducing certain other appropriations for the Court Administrator.

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 a routine transfer.

SECTION 2. The sum of One thousand dollars (\$1,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

	COURT ADMINISTRATOR	COUNTY GENERAL FUND
50.	Properties	<u>\$1,000</u>
	TOTAL INCREASES	\$1,000

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

	COURT ADMINISTRATOR	COUNTY GENERAL FUND
10.	Personal Services	<u>\$1,000</u>
	TOTAL REDUCTIONS	\$1,000

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

PROPOSAL NO. 462, 1979. Councillor Schneider stated that this proposal was heard in committee on September 25, 1979 and received a "do pass" recommendation. It transfers \$13,572 in the Central Data Processing budget to allow the purchase of new equipment. After brief discussion, Proposal No. 462, 1979 was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Dowden, Mr. Durnil, 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, and Mr. West

NO NOES

7 NOT VOTING: Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 462, 1979, was retitled **FISCAL ORDINANCE NO. 115, 1979**, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 115, 1979

A **FISCAL ORDINANCE** amending the **CITY—COUNTY ANNUAL BUDGET FOR 1979** (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional Thirteen thousand five hundred seventy-two dollars (\$13,572) in the County General Fund for purposes of Central Data Processing 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 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 buying a disc control unit.

SECTION 2. The sum of Thirteen thousand five hundred seventy-two dollars (\$13,572) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
CENTRAL DATA PROCESSING COUNTY GENERAL FUND
 50. Properties \$13,572
TOTAL INCREASES \$13,572

SECTION 4. The said additional appropriations are funded by the following reductions:
CENTRAL DATA PROCESSING COUNTY GENERAL FUND
 24. Current Charges \$13,572
TOTAL REDUCTIONS \$13,572

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

PROPOSAL NO. 464, 1979. Councillor Schneider stated that this proposal is a simple transfer in the budget of the County Recorder. After reporting that this proposal received a "do pass" recommendation from the County & Townships Committee, he moved for adoption, seconded by Councillor Durnil. After discussion, Proposal No. 464, 1979 was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Dunril, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. West
 NO NOES

6 NOT VOTING: Mr. Cantwell, Mrs. Coughenour, Mr. Page, Ms. Parker, Mr. SerVaas, Mr. Walters

Proposal No. 464, 1979, was retitled FISCAL ORDINANCE NO. 116, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 116, 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 two hundred ten dollars (\$2,210) in the County General Fund for purposes of the County Recorder and reducing certain other appropriations for the County Recorder.

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 fixing equipment.

SECTION 2. The sum of Two thousand two hundred ten dollars (\$2,210) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

COUNTY RECORDER	COUNTY GENERAL FUND
21. Contractual Services	<u>\$2,210</u>
TOTAL INCREASES	\$2,210

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

COUNTY RECORDER	COUNTY GENERAL FUND
22. Supplies	<u>\$2,210</u>
TOTAL REDUCTIONS	\$2,210

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

PROPOSAL NO. 352, 1979. Councillor Schneider moved to strike this proposal seconded by Councillor Tintera because the monies asked for in this proposal are incorporated in Proposal No. 460, 1979. The motion to strike Proposal No. 352, 1979, carried by unanimous voice vote.

PROPOSAL NO. 460, 1979. Councillor Schneider reported that this proposal changes personnel and salaries of employees of the Wayne Township Trustee. This proposal was heard in committee on September 25, 1979 and was amended before its introduction. Councillor Schneider moved for adoption of Proposal No. 460, 1979, As Amended, seconded by Councillor Tinder. The proposal was adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Boyd, 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. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

5 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 460, 1979, As Amended, was retitled **GENERAL ORDINANCE NO. 110, 1979**, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 110, 1979

A GENERAL ORDINANCE amending City-County General Ordinance No. 85, 1978, to increase the number of personnel authorized for the Wayne Township Trustee.

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

SECTION 1. Section 10 of City-County General Ordinance No. 85, 1978, be, and is hereby amended by deleting the words and figures crosshatched, and inserting the underlined items:

Section 10. Wayne Township. The maximum salaries of the elected and appointed officers and employees of Wayne Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1979, and ending December 31, 1979, are fixed as follows:

Position	Number of Personnel	Annual Rate of Compensation	Total Compensation
Township Trustee	1	11,040	11,040
Township Clerk	1	9,030	9,030
Advisory Bd. Members	3	700	2,100
Clerk for Small Claims Court	1	7,519	7,519
Clerk for Small Claims Court	1	7,178	7,178
Judge for Small Claims Court	1	13,200	13,200
Clerk for Small Claims Court (Part-time)	1	3,150	3,150
POOR RELIEF PERSONNEL			
Suprs. of Investigators	1	9,112	9,112
Investigators	3	6,973	20,919
Investigator Trainee			
CETA	1	8,100	8,100
TOTAL	<u>17 1/2</u>		<u>93,248</u> 91,348

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

PROPOSAL NO. 461, 1979. Councillor Schneider reported that this proposal authorizes increases in the salaries and personnel of the Decatur Township Trustee. It received a "do pass" recommendation of the County & Township Committee on September 25, 1979. Councillor Schneider moved for its adoption, seconded by Councillor Boyd. After discussion, Proposal No. 461, 1979, 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. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West

NO NOES

4 NOT VOTING: Mr. Cantwell, Mr. Page, Ms. Parker, and Mr. Walters

Proposal No. 461, 1979, was retitled GENERAL ORDINANCE NO. 111, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 111, 1979

A GENERAL ORDINANCE amending the CITY—COUNTY GENERAL ORDINANCE NO. 85, 1978 to increase the salaries and number of personnel authorized for the office of the Decatur Township Trustee.

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

SECTION 1. Section 3 of City-County General Ordinance No. 85, 1978 be amended by deleting the crosshatched portions and adding the new amounts herein and that these amounts be retroactive July 1, 1979.

SECTION 3. DECATUR TOWNSHIP

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	5,625	5,625
Township Clerk	1	3,588	3,588
Advisory Bd. Members	3	350	1,050
Judge for Small Claims Court	1	<u>12,000</u> 7,500	<u>12,000</u> 7,500
Clerk for Small Claims Court	<u>2</u> 1	<u>8,500</u> 5,600	<u>16,500</u> 5,600
POOR RELIEF PERSONNEL			
Supervisor & Investigator	1	4,250	4,250
Part-time help for Investigator	1		100
TOTAL			<u>43,113</u> 27,713

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

PROPOSAL NO. 411, 1979. Councillor Schneider requested that this proposal be postponed until the meeting of the Council, October 15, 1979, so that further evaluation may be made concerning the repair of the County Home roof. Consent of the Council was given.

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 438, 1979. Councillor Coughenour reported that this proposal transfers \$16,400 in the City Market Fund for purposes of the City Market Division and it received a unanimous “do pass” recommendation from the Public Works Committee. Councillor Coughenour moved, seconded by Councillor Clark, for adoption of Proposal No. 438, 1979. The proposal was then 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. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

5 NOT VOTING: Mr. Cantwell, Mr. Page, Ms. Parker, Mr. Pearce, Mr. Walters

Proposal No. 438, 1979, was retitled FISCAL ORDINANCE NO. 117, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 117, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Sixteen Thousand four hundred (\$16,400) in the City Market Fund for purposes of the City Market 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 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of transferring funds to characters needing additional appropriations due to inflation and policies not in force when the budget was originally appropriated.

SECTION 2. The sum of Sixteen thousand, four hundred dollars (\$16,400) 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	CITY MARKET FUND
CITY MARKET	
10. Personal Services	\$9,000
22. Supplies	6,000
25. Current Obligations	<u>1,400</u>
TOTAL INCREASES	\$16,400

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

PUBLIC WORKS	CITY MARKET FUND
CITY MARKET	
21. Contractual Services	\$13,100
23. Materials	800
24. Current Charges	<u>2,500</u>
TOTAL REDUCTIONS	\$16,400

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

PROPOSAL NO. 392, 1979. Councillor McGrath stated that this proposal changes intersection controls at Graham Road. Councillor Clark moved, seconded by Councillor Hawkins to return this proposal to the Transportation Committee for further consideration. The motion carried by unanimous voice vote.

PROPOSAL NO. 440, 1979. Councillor McGrath reported that this proposal restricts trucks on certain portions of Lawrence and Markwood Avenues. After discussion, Proposal No. 440, 1979, 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. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. West

1 NO: Mr. Lyons

4 NOT VOTING: Mr. Cantwell, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 440, 1979, was retitled GENERAL ORDINANCE NO. 112, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 112, 1979

A GENERAL ORDINANCE restricting trucks on certain portions of Lawrence Avenue and Markwood Avenue. [Amends Code Section 29-224.]

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

PART I

Chapter 29 of the Code of Indianapolis and Marion County, Indiana, specifically, "Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

**Lawrence Avenue, from East Street to Madison Avenue
Markwood Avenue, from East Street to Madison 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. 433, 1979. Councillor Miller stated that this proposal appoints members to the Human Rights Commission. Councillor Miller moved, seconded by Councillor Tinder the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 433, 1979, by deleting lines 3, 4, and 7 of Section 1.

Councillor Miller

The motion carried by unanimous voice vote. After further discussion, Councillor Miller then moved, seconded by Councillor McGrath to adopt Proposal No. 433, 1979, As Amended; the motion carried by unanimous voice vote. Proposal No. 433, 1979, As Amended, was retitled COUNCIL RESOLUTION NO. 21, 1979, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 21, 1979

A COUNCIL RESOLUTION appointing members to the Human Rights Commission.

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

SECTION 1. As members of the Human Rights Commission, the Council appoints the following for the terms as noted thereon:

MARCIA DU MOND—Term Expires 12-31-80

WILLIAM BROWN— Term Expires 12-31-81

SECTION 2. The foregoing appointments shall be effective upon adoption by the City-County Council.

PROPOSAL NO. 415, 1979. Councillor Tinder reported that this proposal creates a City Audit Committee. After discussion, Councillor Tinder moved, seconded by Councillor Miller the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 415, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 415, 1979, Committee Recommendations."

Councillor Tinder

The motion carried by unanimous voice vote. Proposal No. 415, 1979, As Amended was then adopted on the following roll call vote; viz:

23 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. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West
NO NOES

6 NOT VOTING: Mr. Cantwell, Mr. Howard, Mr. McGrath, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 415, 1979, As Amended, was retitled GENERAL ORDINANCE NO. 113, 1979, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, by adding a new Section 2-146 to Article III of Chapter 2 to create an audit committee for the City of Indianapolis.

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

SECTION 1. Article III of Chapter 2 of the Code of Indianapolis and Marion County, is hereby amended by adding a new Section 2-146 to read as follows:

Sec. 2-146. Audit Committee.

(a) Creation, composition and appointment of committee. There is hereby created and established an audit committee for the City of Indianapolis consisting of the following five (5) members, appointed for the following terms:

- (1) A representative from the Mayor's office, to be appointed annually by the Mayor.
- (2) A member of the City-County Council, to be appointed annually by the City-County Council.

(3) One (1) person who is qualified due to an involvement with financial matters and who is not an employee of the City of Indianapolis or Marion County shall be appointed by the City-County Council, and shall be appointed initially for a two (2) year term. Thereafter, and at the expiration of the term of the initial appointee, the appointment shall be made for a term of three (3) years.

(4) Two (2) persons, one of which is qualified due to an involvement with financial matters and who is not an employee of the City of Indianapolis or Marion County, and the other who is involved in either the fields of education or consulting and who is not an employee of the City of Indianapolis or Marion County shall be appointed by the Mayor. One of these members shall be appointed initially for one (1) year term, and the other shall be appointed initially for a three (3) year term. Thereafter, and at the expiration of the term of the initial appointees, each appointment shall be made for a term of three (3) years.

Each appointee may be removed only for cause by the respective appointing authorities. Vacancies shall be filled by members appointed by whomever made the initial appointment. A member appointed to fill a vacancy shall serve for the duration of the expired term. The field representatives from the State Board of Accounts assigned to the City of Indianapolis shall serve as ex-officio members of the committee, with the City Controller and the Manager of the Division of Internal Audit receiving notification of the meetings of the committee. The staff functions for the committee shall be provided by the Division of Internal Audit.

(b) Officers, quorum and meetings

(1) The officers of the committee shall be a Chairman and a Secretary. The Chairman shall be named by the Mayor, and the Secretary by the committee.

(2) A quorum of the Committee for official action in session shall be three (3) members.

(3) The committee shall meet quarterly at such place and time as may be set by the Chairman, and may meet at such other times and places as may be needed in special session called by the Chairman for a particular purpose.

(c) Powers and duties. The committee shall be responsible for meeting with independent external auditors to discuss the scope of the annual audit and anything related to it. The committee shall then recommend to the Mayor the independent external audit firm to be appointed. In addition, the committee shall oversee the affairs of the Division of Internal Audit to insure adequate internal controls and procedures. Finally, the committee shall serve as the informed resource regarding the financing and accounting practices of the City of Indianapolis, and thereby submit a report annually to the Mayor and the City-County Council on its activities.

SECTION 2. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 3. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 18-4-5-2.

PROPOSAL NO. 439, 1979. Councillor Coughenour reported that this proposal transfers \$275,000 in the Flood Control Fund for purposes of the Flood Control Division, Department of Public Works and moved for its adoption, seconded by Councillor Clark. After discussion, the proposal 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. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

4 NOT VOTING: Mr. Cantwell, Mr. Page, Ms. Parker, and Mr. Walters

Proposal No. 439, 1979, was retitled FISCAL ORDINANCE NO. 118, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 118, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Two hundred, seventy-five thousand dollars (\$275,000) in the Flood Control General Fund for purposes of Flood Control 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 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of purchasing additional equipment.

SECTION 2. The sum of Two hundred seventy-five thousand dollars (\$275,000) 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	FLOOD CONTROL	GENERAL FUND
	FLOOD CONTROL		
50.	Properties		<u>\$275,000</u>
	TOTAL INCREASES		<u>\$275,000</u>

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

	PUBLIC WORKS	FLOOD CONTROL	GENERAL FUND
	FLOOD CONTROL		
10.	Personal Services		<u>\$129,000</u>
21.	Contractual Services		<u>126,000</u>
22.	Supplies		<u>14,000</u>
24.	Current Charges		<u>6,000</u>
	TOTAL REDUCTIONS		<u>\$275,000</u>

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

[Clerk's Note: At 9:35 p.m. Mrs. Brinkman was excused from the Council Chambers.]

PROPOSAL NO. 360, 1979. Councillor West reported that this proposal transfers \$1,000 in the Prosecutor's budget for purchase of shelving and a typewriter. He stated that this proposal received a "do pass" recommendation from the Public Safety & Criminal Justice Committee and moved for adoption. After discussion, Proposal No. 360, 1979 was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Durnil, 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. West

NO NOES

7 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Gilmer, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 360, 1979, was retitled FISCAL ORDINANCE NO.119, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 119, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating One thousand dollars (\$1,000) in the County General Fund for purposes of the Prosecutor 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 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 buying shelving and a typewriter for the area of habitual criminal prosecution.

SECTION 2. The sum of One thousand dollars (\$1,000) 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:

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
50. Capital	<u>\$1,000</u>
TOTAL INCREASES	\$1,000

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

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
10. Personal Services	<u>\$1,000</u>
TOTAL REDUCTIONS	\$1,000

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

PROPOSAL NO. 410, 1979. Councillor West stated that this proposal is a transfer for operating expenses of the County Sheriff. The Public Safety & Criminal Justice Committee gave this proposal a "do pass" recommendation by unanimous vote. After discussion and motion duly made and seconded, Proposal No. 410, 1979, was adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Boyd, 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. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

5 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 410, 1979, was retitled FISCAL ORDINANCE NO. 120, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 120, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Sixteen thousand dollars (\$16,000) in the County General Fund for purposes of the Sheriff 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 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 maintaining communications equipment, operating the photography laboratory, and operating the Sheriff's garage.

SECTION 2. The sum of Sixteen thousand dollars (\$16,000) 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:

	SHERIFF	COUNTY GENERAL FUND
21.	Contractual Services	\$4,000
22.	Supplies	5,000
23.	Materials	7,000
	TOTAL INCREASES	\$16,000

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

	COUNTY GENERAL FUND	
50.	Properties	\$16,000
	TOTAL REDUCTIONS	\$16,000

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

PROPOSAL NO. 413, 1979. Councillor West reported for the Public Safety & Criminal Justice Committee that this proposal authorizes the Humane Society to capture and dispose of certain animals. Mr. West explained that this proposal enforces and defines more particularly the right of the Humane Society to deal with sick or injured animals. Proposal No. 413, 1979, after discussion, was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, 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. West

NO NOES

6 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mr. Gilmer, Mr. Page, Ms. Parker, Mr. Walters

Proposal No. 413, 1979, was retitled GENERAL ORDINANCE NO. 114, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 114, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, by adding a new Section to Chapter 6, Article III creating authority for the Indianapolis Humane Society to receive, capture, hold and maintain, and dispose of animals under certain circumstances.

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

SECTION 1. Article III of Chapter 6 of the Code of Indianapolis and Marion County is hereby amended by adding a new Section, 6-150 to read as follows:

Sec. 6-150. Capture, holding and maintenance, and disposal of animals by the Humane Society.

(a) The Indianapolis Humane Society, by its duly authorized agents, employees or other personnel, shall have the authority to proceed to the scene or location of a diseased, sick or injured animal within Marion County after being requested to do so by any member of the general public for the purposes of capturing and transporting said animal to its duly established humane shelter and to hold and properly maintain said animal until it is either claimed by its proper owner or, in the discretion of the Humane Society, otherwise properly disposed of. The Humane Society may also receive animals brought to its shelter by members of the general public or proper governmental personnel and either keep or, in the discretion of the Humane Society, otherwise humanely dispose of said animals.

(b) Upon the capture of any diseased, sick or injured animal or taking of an animal brought to its shelter by any person or any local government personnel, the Humane Society personnel shall make a reasonable attempt to notify and inform the owner of said animal of the requirements and procedures for claiming ownership and regaining custody thereof.

(c) When the owner of a captured or held animal is discovered or known, it may be released to said owner upon the payment of any applicable fees or upon the compliance with all other applicable procedures of the Humane Society. If the owner does not claim an animal or desires not to claim it, the Humane Society may, within its discretion, release said animal to any person desiring to assume ownership, custody and care thereof in conformance with the established requirements of the Humane Society after a six (6) day holding period, as long as the person adopting said animal obtains a license, if required, for said animal pursuant to Sec. 6-69 et seq. and any proper vaccination thereof;

(d) Upon the capture of any diseased, sick or injured animal or the taking of an animal brought to its shelter by any person or any local governmental personnel, the Humane Society shall, subject to the provisions of paragraph (e) hereof, confine the animal in an humane manner for a period of not less than six (6) days. Thereafter, the Humane Society, in its discretion, may keep, release or otherwise humanely dispose of said animal consistent with the established procedures of the Humane Society as they may be amended from time to time.

(e) Notwithstanding the provisions of this section, diseased or injured animals need not be retained six (6) days, but may be humanely disposed of at any time if, in the discretion of the proper Humane Society personnel or authorized veterinarian, such disposal is necessary and proper for said animals.

(f) This section does not authorize the Humane Society to assume any of the impoundment and disposal functions of the municipal dog pound as elsewhere specified in this chapter or state law.

(g) Nothing in this section shall inhibit the municipal dog pound in any way from carrying out its functions in accordance with applicable law and whatever provisions, or regulations the safety board shall make in carrying out its mandate to "Make provisions, to maintain a municipal dog pound, to regulate the capture, impounding, sale and destruction of dogs in accordance with applicable law, and for the operation of the municipal dog pound division," as provided in Acts 1969, ch. 173, Sec. 1206, p. 357.

SECTION 2. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 3. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 18-4-5-2.

PROPOSAL NOS. 488, 489, 1979. Councillor Kimbell stated that these proposals deal with appeals to the State Board of Tax Commissioners concerning the tax rate and levy. Mr. Kimbell requested that, although these proposal were just introduced, due to time requirements, they needed to be voted upon in this session of the Council. After discussion, Councillor Kimbell moved, seconded by Councillor Clark to adopt Proposal Nos. 488, and 489, 1979. The Council adopted these proposals by unanimous voice vote. Proposal Nos. 488, and 489, 1979 were retitled **COUNCIL RESOLUTION NO. 38, 1979** and **COUNCIL RESOLUTION NO. 39, 1979**, respectively, and read as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 38, 1979

A SPECIAL RESOLUTION authorizing the officers of Marion County 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.

WHEREAS, on September 26, 1979, the Marion County Board of Tax Adjustment modified and reduced the budget of Marion County for the calendar year 1980; and

WHEREAS, unless the tax rate and levy are increased to provide funding for the budgets as submitted to the Marion County Board of Tax Adjustment, the County and those agencies whose budgets are approved by the City-County Council will have insufficient funds to carry out their governmental functions during the calendar year 1980; and

WHEREAS, the County may appeal to the State Board of Tax Commissioners the decision of the County Board of Tax Adjustment by filing a statement of objections with the State Board of Tax Commissioners within ten days after publication by the County Board of Tax Adjustment of the notice of tax rates; and

WHEREAS, the City-County Council must authorized the filing of the statement of objections by adopting a resolution; now, therefore:

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

SECTION 1. The Mayor of the City and the President of the City-County Council are hereby authorized to prepare and file a statement of objections with the State Board of Tax Commissioners, thereby appealing for an increase in the tax rate and levy relevant to all budgets adopted or approved by the City-County Council in a manner which is sufficient to fund those budgets as originally submitted to the Marion County Board of Tax Adjustment.

SECTION 2. The Mayor the City and the President of the City-County Council are hereby authorized to prepare and file a statement of objections with the State Board of Tax Commissioners, thereby appealing for a reestablishment of all budgets adopted or approved by the City-County Council as originally submitted to the Marion County Board of Tax Adjustment.

SECTION 3. The Mayor of the City and the President of the City-County Council are hereby authorized to execute such documents and furnish such information as may be necessary or proper to initiate and prosecute the appeal authorized by this Resolution.

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 1979

A **SPECIAL RESOLUTION** authorizing and directing the appropriate officers of the City-County Council and the Consolidated City of Indianapolis to cause to be prepared and executed an appeal to the State Board of Tax Commissioners requesting an increase in the tax rates, if necessary, so as not to reduce the levies of each taxing unit.

WHEREAS, the Marion County Board of Tax Adjustment, in making its determinations, had to use abstract assessed valuation figures as provided to it by the Marion County Auditor; and

WHEREAS, those figures included reassessment valuations, whether or not certain inequities existed; and

WHEREAS, taxpayers and governmental agencies might appeal those reassessment valuations, thereby reducing the final valuation below the figure used by the Marion County Board of Tax Adjustment in establishing the tax rates; and

WHEREAS, IC 6-1.1-19 (f) provides that the School Property Tax Control Board may recommend to the State Board of Tax Commissioners a correction of any mathematical error or errors in data which affect the determination of a school corporation's adjusted base levy, excessive tax levy or normal tax levy, and IC 6-3.5-1-12(f) provides that the Local Government Tax Control Board may recommend to the State Board of Tax Commissioners a correction of any advertising errors, mathematical error or errors in data made at the local level for any budget year which affect the determination of the limitations established by IC 6-3.5-1-3 or the tax rate or levy of a taxing unit. In addition, IC 6-1.1-19-4(f) provides that the State Board of Tax Commissioners may correct any mathematical error or errors in data for any school corporation, and IC 6-3.5-1-12 (f) provides that the State Board of Tax Commissioners may on its own initiative correct any advertising errors, mathematical error or errors in data for any taxing unit which affect the determination of the limitations established by IC 6-3.5-1-3 or the tax rate or levy of a taxing unit; now, therefore:

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

SECTION 1. The appropriate officers of the City-County Council and the Consolidated City of Indianapolis are hereby authorized to prepare and file an appeal with the School Property Tax Control Board, the Local Government Tax Control Board, and the State Board of Tax Commissioners, requesting an increase in the tax rates in order that the levy of each taxing unit is not reduced, thereby correcting the error created if the valuation used in the final determination by the State Board of Tax Commissioners is less than the valuation used by the Marion County Board of Tax Adjustment.

SECTION 2. The President of the City-County Council and the Mayor of the Consolidated City of Indianapolis are hereby authorized to execute such documents and furnish such information as may be necessary or proper to initiate and prosecute such appeal.

PROPOSAL NOS. 483-486, 1979. No action was taken on these proposals, they were retitled REZONING ORDINANCE NOS. 128-130, 1979, respectively, and read as follows:

**REZONING ORDINANCE NO. 128, 1979 79-Z-38 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
6002 EAST 86TH STREET, INDIANAPOLIS**
Indiana National Bank, Trustee, One Indiana Square, requests rezoning of 115 acres, being in D-2 districts, to C-2 classification for commercial use.

**REZONING ORDINANCE NO. 129, 1979 79-Z-39 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
5802 EAST 86TH STREET, INDIANAPOLIS**
Indiana National Bank, Trustee, One Indiana Square, requests rezoning of 8.00 acres being in C-1 district, to C-4 classification to provide for commercial use.

**REZONING ORDINANCE NO. 130, 1979 79-Z-60 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
1116 WESTERN DRIVE, INDIANAPOLIS**
Financial Services Development Inc., P.O. Box 17113, Cincinnati, Ohio, requests rezoning of 0.502 acres, being in I-2-S district, to I-4-S classification, to provide for outside loading.

**REZONING ORDINANCE NO. 131, 1979 79-Z-151 WASHINGTON, LAWRENCE,
WAYNE, CENTER, WARREN, PERRY, DECATUR, and FRANKLIN TOWNSHIPS
INDIANAPOLIS, MARION COUNTY**
Metropolitan Development Commission by J. Nicholas Shelley, Acting Administrator, Division of Planning and Zoning, 2041 City-County Building requests to rezone particular parcels of land by map designation, to indicate the particular use classification of certain parcels zoned in the Special Use classification and to correct mapping errors on particular parcels of land by map designation, as designated on maps on file in the office of the Commission.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:45 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 1st day of October, 1979.

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)