

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, October 20, 1980**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building, at 7:18 p.m., Monday, October 20, 1980. President SerVaas in the Chair. Mr. Stephen R. West opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

PRESENT: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

OFFICIAL COMMUNICATIONS

The Chair called for the 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 20, 1980, 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 October 9, 1980, and October 16, 1980, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 501, 502, 504, 509, 511, 512, and 514, 1980, to be held on Monday, October 20, 1980, 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. 89, 1980, amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional three hundred sixty-two thousand dollars in the City General Fund for purposes of the Central Equipment Management Division, Department of Administration and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 93, 1980, amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating thirteen thousand four hundred eighty-eight dollars in the Consolidated County General Fund for purposes of the Legal Division, Department of Administration and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 94, 1980, amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating sixty thousand dollars in the Consolidated County Fund for purposes of the Buildings Division, Department of Metropolitan Development and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 95, 1980, amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating one hundred forty thousand dollars in the Transportation General Fund for purposes of the Department of Transportation and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 59, 1980, amending the "Code of Indianapolis and Marion County, Indiana" designating a portion of LaSalle Street as one-way southbound.

GENERAL ORDINANCE NO. 60, 1980, amending the "Code of Indianapolis and Marion County, Indiana" by amending the Sec. 29-44 and Sec. 29-324 to increase the penalties payable for traffic violations.

GENERAL ORDINANCE NO. 63, 1980, amending the "Code of Indianapolis and Marion County, Indiana", by establishing intersection controls at the intersection of Butler Avenue and University Avenue.

GENERAL ORDINANCE NO. 61, 1980, amending the "Code of Indianapolis and Marion County, Indiana" deleting the on-street parking restrictions on a portion of Frontage Road.

GENERAL ORDINANCE NO. 62, 1980, amending the "Code of Indianapolis and Marion County, Indiana" providing for intersection controls at the intersection of Butler Avenue and University Avenue.

SPECIAL RESOLUTION NO. 79, 1980, declaring Sunday, October 19, 1980, as "Dr. Andrew J. Brown Day".

Respectfully submitted,

s/William H. Hudnut, III
Mayor

**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:

SPECIAL ORDINANCE NO. 13, 1980, to establish a Park District Cumulative Building Sinking Fund.

SPECIAL ORDINANCE NO. 14, 1980, to establish a Drainage Project, Sewage Treatment, Storm Sewer and Disposal Plant Fund.

SPECIAL RESOLUTION NO. 68, 1980, to establish a Cumulative Bridge Fund.

SPECIAL RESOLUTION NO. 80, 1980, authorizing the officers of the City of Indianapolis and Marion County, Indiana, 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.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

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

resident SerVaas announced that three petitions for review by the Council from Indianapolis Cablevision Company, Ltd., Indy Cable Television Inc., and United Cable Television Corporation were timely received as prescribed in the Code Sec. 8 /2-27. Review of the decisions of the Board of Public Works which rejected the Cable Television Franchise Applications are properly before the council to be heard in a public hearing. Councillor Durnil moved, seconded by Councillor Gilmer, to postpone the public hearing on these petitions, and Proposal No. 544, 1980, until a Special Meeting of the Council is called for November 17, 1980, at 5:00 p.m. Said public hearings on these petitions will be the only item on the agenda of

the Special Meeting. With the consent of the representatives of the four companies involved, the motion passed on the following roll call vote; viz:

20 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. McGrath, Mr. Miller, Mr. Page, Mr. Rader, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera

8 NOES: Mrs. Coughenour, Mr. Howard, Mr. Jones, Mrs. Journey, Mrs. Nickell, Mrs. Parker, Mr. Rhodes, Mr. Vollmer

1 NOT VOTING: Mr. West

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 524, 1980. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Ten Thousand Dollars (\$10,000) in the Consolidated County Fund for purposes of the Personnel Division, Department of Administration and reducing certain other appropriations for that division;" and the President referred it to the Administration Committee.

PROPOSAL NO. 525, 1980. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period January 1, 1981, to June 30, 1981, in anticipation of current taxes levied in the year 1980 and collectible in the year 1981, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 526, 1980. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance authorizing Marion County to borrow on a temporary loan for the use of the County Welfare Fund during the period January 1, 1981, to June 30, 1981, in anticipation of current taxes levied in the year 1980 and collectible in the year 1981, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon;" and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 527, 1980. 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 Revenue Bonds, (RCA Indianapolis Project)' in the aggregate 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. 528, 1980. 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. 529, 1980. 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. 530, 1980. 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. 531, 1980. 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. 532, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Two Thousand Two Hundred Dollars (\$2,200) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room III, and reducing certain other appropriations for that division;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 533, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating One Thousand Three Hundred Sixty-seven Dollars (\$1,367) in the County General Fund for purposes of the Marion County Circuit Court and reducing certain other appropriations for that division;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 534, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Twenty-five Thousand Dollars (\$25,000) in the County General Fund for purposes of the Marion County Sheriff's Department and reducing certain other appropriations for that division;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 535, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Three Hundred Fifty-three Thousand One Hundred Thirty-two dollars (\$353,132) 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 and Criminal Justice Committee.

PROPOSAL NO. 536, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional One Hundred Twenty-five Thousand Dollars (\$125,000) 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 and Criminal Justice Committee.

PROPOSAL NO. 537, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana' providing for intersection control changes at the intersection of Westfield Road and E. 91st Street. (Amends Code Section 29-92);" and the President referred it to the Transportation Committee.

PROPOSAL NO. 538, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana' providing for intersection control changes at intersections in College Park West. (Amends Code Section 29-92);" and the President referred it to the Transportation Committee.

PROPOSAL NO. 539, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana' prohibiting parking on a portion of Boulevard Place. (Amends Code Section 29-267);" and the President referred it to the Transportation Committee.

PROPOSAL NO. 540, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana' making a portion of Scioto Street one-way northbound. (Amends Code Section 29-166);" and the President referred it to the Transportation Committee.

PROPOSAL NO. 541, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana' providing for intersection control changes at certain intersections, and the prohibiting of parking on a portion of Albany Street. (Amends Code Sections 29-92 and 29-267);" and the President referred it to the Transportation Committee.

PROPOSAL NO. 542, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana' providing for intersection control changes at certain intersections, and the prohibiting of parking on a portion of Raymond Street. (Amends Code Sections 29-92 and 29-267);" and the President referred it to the Transportation Committee.

PROPOSAL NO. 543, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana' providing for the installation of traffic signals at five locations and prohibits parking on a portion of Fifty-sixth Street. (Amends Code Sections 29-92 and 29-267);" and the President referred it to the Transportation Committee.

PROPOSAL NO. 544, 1980. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance approving and confirming the CATV franchise contract by and between the City of Indianapolis, Indiana, through the Board of Public Works of its Department of Public Works, and American Cablevision of Indianapolis, Inc.;" and the President referred it to the Committee of the Whole to be heard on November 17, 1980, at 5:00 p.m.

PROPOSAL NOS. 547-552, 1980. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Development Commission on October 16, 1980;" and the President referred them to the Committee of the Whole to be heard under Special Orders - Final Adoption.

MODIFICATION OF SPECIAL ORDERS

[Clerk's Note: Council consent was given for the following ordinances to be introduced, although not timely submitted under the Rules of the Council.]

PROPOSAL NO. 545, 1980. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Two Hundred Twenty-five Thousand Dollars (\$225,000) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that division;" and the President referred it to the Parks and Recreation Committee. Councillor Journey moved, seconded by Councillor Howard to advance this proposal on the agenda, and to be heard tonight, due to the fact that the Parks and Recreation Committee heard the proposal on October 16, 1980. Consent was given.

PROPOSAL NO. 546, 1980. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Three Hundred Eighty-seven Thousand Dollars (\$387,000) in the Sanitation General Fund for purposes of the Sanitation Division, Department of Public Works and reducing the unappropriated and unencumbered balance in the Sanitation General Fund;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 553, 1980. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution recommending the establishment of a Foreign Trade Zone in Indiana;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 554, 1980. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance adding a provision to Article VI, Chapter 8 1/2, relating to private security;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 555, 1980. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a Special Resolution of endorsement and support for the Indianapolis Regional Center People Mover;" and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 501, 1980. Councillor Miller reported for the Administration Committee that this proposal, appropriating an additional \$145,000 in the City General Fund for the Department of Administration, Finance Division, for purposes of funding required federal governmental audits, received a "do pass" recommendation from the committee by a vote of 4-0. During discussion, Mr. Miller stated that these audits are required by the federal government for federally funded programs only, which will be reimbursed later by the federal government. The Council recessed to a Committee of the Whole for public hearing on this proposal at 7:47 p.m. and reconvened at 7:48 p.m. Councillor Miller moved for adoption of Proposal No. 501, 1980, seconded by Councillor Gilmer. Proposal No. 501, 1980, was then adopted on the following roll call vote; viz:

25 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer

NO NOES

4 NOT VOTING: Mrs. Brinkman, Mrs. Journey, Mr. Rhodes, Mr. West

Proposal No. 501, 1980, was retitled FISCAL ORDINANCE NO. 96, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional One Hundred Forty-five Thousand dollars (\$145,000) in the City General Fund for purposes of the Department of Administration, Finance Division, and reducing the unappropriated and unencumbered balance in the City General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of funding required government audits. The Federal Government will reimburse the audit fees.

SECTION 2. The sum of One Hundred and Forty-five Thousand dollars (\$145,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

ADMINISTRATION	CITY GENERAL
FINANCE DIVISION	FUND
21. Contractual Services	\$145,000
TOTAL INCREASES	\$145,000

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

ADMINISTRATION	CITY GENERAL
FINANCE DIVISION	FUND
Unappropriated and Unencumbered	
City General Fund	\$145,000
TOTAL REDUCTIONS	\$145,000

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

PROPOSAL NO. 502, 1980. This proposal, appropriating an additional \$145,739 in the City General Fund for the Department of Administration, Finance Division, for purposes of paying past and current Central Data Processing charges, received a "do pass" recommendation from the Administration Committee by a vote of 5-0. Mr. Miller expounded on the purpose of the funds, stating that these moneys are catch-up resulting from past charges. The funds for this project are unencumbered and provided for in the budget of the Finance Division. The Council recessed to a Committee of the Whole for a public hearing at 7:49 p.m. and reconvened at 7:50 p.m. Councillor Miller moved for adoption after brief discussion, seconded by Councillor Howard. Proposal No. 502, 1980, was then adopted on the following roll call vote; viz:

27 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mrs. Brinkman, Mr. Rhodes

Proposal No. 502, 1980, was retitled FISCAL ORDINANCE NO. 97, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional One Hundred Forty-five Thousand Seven Hundred Thirty-nine Dollars (\$145,739) in the City General Fund for purposes of the Department of Administration, Finance Division, and reducing the unappropriated and unencumbered balance in the City General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of paying past and current CDP charges.

SECTION 2. The sum of One Hundred Forty-five Thousand Seven Hundred Thirty-nine Dollars (\$145,739) 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:

ADMINISTRATION	CITY GENERAL
FINANCE DIVISION	FUND
21. Contractual Services	\$145,739
TOTAL INCREASES	\$145,739

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

ADMINISTRATION	CITY GENERAL
FINANCE DIVISION	FUND
Unappropriated and Unencumbered City General Fund	\$145,739
TOTAL REDUCTIONS	\$145,739

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

PROPOSAL NO. 394, 1980. Councillor West commented briefly on this proposal which appropriates an additional \$21,820 in the Crime Control Fund for purposes of the Marion County Superior Court, Juvenile Division to study non-detentive residential alternatives to Juvenile Center detention. The Public Safety and Criminal Justice Committee recommended that the Council "do pass" this proposal which is funded by a LEAA grant and roll-over funds. This proposal reimburses the counselors for overtime for six months to continue counseling the youths released from the Pleasant Run Children's Home in addition to the children still in the home. The Council recessed to a Committee of the Whole for a public hearing at 7:56 p.m. and reconvened at 7:57 p.m., after comment by Mr. Don Christenson who was in opposition to the program. After further debate, Proposal No. 394, 1980, was adopted on the following roll call vote; viz:

23 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mrs. Parker, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West
 4 NOES: Mr. Clark, Mr. Cottingham, Mr. Page, Mr. Rader
 2 NOT VOTING: Mrs. Journey, Mr. Durnil

Proposal No. 394, 1980, was retitled FISCAL ORDINANCE NO. 98, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Twenty-one Thousand Eight Hundred and Twenty dollars (\$21,820) in the Crime Control Fund for purposes of the Marion County Superior Court, Juvenile Division and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.05 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the study of non-detentive residential alternatives for the Juvenile Court.

SECTION 2. The sum of Twenty-one Thousand Eight Hundred and Twenty dollars (\$21,820) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

JUVENILE DIVISION—MARION	CRIME CONTROL
COUNTY SUPERIOR COURT	FUND
32. Contractual Services	\$21,820
TOTAL INCREASES	<u>\$21,820</u>

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

JUVENILE DIVISION—MARION	CRIME CONTROL
COUNTY SUPERIOR COURT	FUND
Unappropriated and Unencumbered	
Crime Control Fund	\$21,820
TOTAL REDUCTIONS	<u>\$21,820</u>

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

PROPOSAL NO. 440, 1980. Councillor West outlined the committee report on this proposal from the Public Safety and Criminal Justice Committee by stating that it appropriates an additional \$10,400 in the County General Fund for the Superior Court, Civil Division, Room 5 for purposes of providing funds for an additional bailiff. Mr. West reported that although the Committee recommended that the full Council "do pass" the proposal by a vote of 4-2, questions arose with respect to the need of this additional employee and the inconsistency and

lack of proof of an increased case load compared to other case loads in courts of similar size and jurisdiction. After lengthy discussion, Mr. Howard moved to table the proposal until sufficient information to substantiate the need for the additional money was received, seconded by Councillor Journey. A Division of the House was called by Mr. Boyd. Proposal No. 440, 1980, was then tabled until such information becomes available from Judge Dugan on the following roll call vote; viz:

18 AYES: *Dr. Borst, Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. Miller, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. SerVaas, Mr. Strader, Mr. Tintera, Mr. Vollmer*

10 NOES: *Mr. Boyd, Mr. Campbell, Mr. Dowden, Mr. Hawkins, Mr. Holmes, Mrs. Nickell, Mr. Page, Mr. Schneider, Mrs. Stewart, Mr. West*

1 NOT VOTING: *Mr. McGrath*

PROPOSAL NO. 504, 1980. This proposal, introduced by Mr. West and referred to the Metropolitan Development Committee, was outlined by Mr. Durnil. As introduced, the proposal would appropriate an additional \$25,000 in the Community Services Program Fund for the Community Development, Administrative Department of Metropolitan Development for purposes of funding the activities of Citizen's Forum. The committee however, recommended that the full council amend the total figure to \$8,400. Councillor Durnil moved the substitution of the Committee Recommendation Version of the proposal; Council consent was given. The Council then recessed to a Committee of the Whole for a public hearing at 8:15 p.m. and reconvened at 8:16 p.m. Proposal No. 504, 1980, As Amended, was then adopted on the following roll call vote; viz:

24 AYES: *Dr. Borst, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. West*

2 NOES: *Mr. Jones, Mr. Vollmer*

3 NOT VOTING: *Mr. Boyd, Mrs. Brinkman, Mr. Howard*

Proposal No. 504, 1980, As Amended, was retitled FISCAL ORDINANCE NO. 99, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Eight Thousand Four Hundred dollars (\$8,400) in the Community Services Program Fund for purposes of Community Development Administration, Department of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Community Services Program Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for a supplemental collection point for citizen complaints and service requests in the areas of health code violations, unsafe conditions, crime problems, street conditions, drainage problems, and any other service area in which a neighborhood resident might require assistance in contacting the appropriate agency. Citizen's Forum will engage in efforts to provide awareness of their service as an access point, will collect and compile citizens requests and complaints and forward them on a regular basis to the proper governmental unit. Citizen's Forum will also follow-up on service where appropriate.

SECTION 2. The sum of Eight Thousand Four Hundred dollars (\$8,400) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF METRO.DEV.	COMMUNITY SERVICES
COMMUNITY DEVELOPMENT ADMIN.	PROGRAM FUND
21. Contractual Services	\$8,400
TOTAL INCREASES	\$8,400

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

DEPARTMENT OF METRO.DEV.	COMMUNITY SERVICES
COMMUNITY DEVELOPMENT ADMIN.	PROGRAM FUND
Unappropriated and Unencumbered Community Services Program Fund	\$8,400
TOTAL REDUCTIONS	\$8,400

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

PROPOSAL NO. 509, 1980. Councillor Miller reported for the Administration Committee that this proposal appropriates an additional \$948,600 in the City General Fund for the Department of Administration, Central Management Division, for purposes of maintaining the vehicle fleet operations for the remainder of 1980. This proposal received a "do pass" recommendation from the Administration Committee by a vote of 5-1. During discussion, Mr. Don McPherson was asked to comment on the proposed use of the funds. He stated that after the centralization of the garage, the budgeted rate of gasoline was \$0.86 per gallon of fuel, while in reality the average actual cost is \$1.04, with an 80% utilization rate of the fuel used in 1979. The Council recessed to a Committee of the Whole for a public hearing at 8:30 p.m. and reconvened at 8:31 p.m. Proposal No. 509, 1980, was then adopted on the following roll call vote; viz:

21 AYES: Mr. Boyd, Dr. Borst, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Holmes, Mr. Howard, Mr. Jones, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Rader, Mr. Rhodes, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

5 NOES: Mr. Campbell, Mr. Hawkins, Mrs. Journey, Mr. Page, Mr. Schneider

3 NOT VOTING: Mrs. Brinkman, Mr. Dowden, Mrs. Parker

Proposal No. 509, 1980, was retitled FISCAL ORDINANCE NO. 100, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 100, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Nine Hundred Forty-eight Thousand Six Hundred Dollars (\$948,600) 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.

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 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of maintaining the vehicle fleet operations for the balance of 1980.

SECTION 2. The sum of Nine Hundred Forty-eight Thousand Six Hundred Dollars (\$948,600) 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:

ADMINISTRATION—CEMD	CITY GENERAL FUND
10. Personal Services	\$180,000
21. Contractual Services	230,000
22. Supplies	494,600
23. Materials	23,000
25. Current Obligations	21,000
TOTAL INCREASES	\$948,600

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

ADMINISTRATION—CEMD	CITY GENERAL FUND
Unappropriated and Unencumbered City General Fund	\$948,600
TOTAL REDUCTIONS	\$948,600

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

PROPOSAL NO. 511, 1980. Councillor West, Chairman of the Public Safety and Criminal Justice Committee, reported that the committee recommends the full Council "do pass" this proposal appropriating an additional \$27,991 in the Crime Control Fund for the Marion County Superior Court, Juvenile Division,

for purposes of providing funds to increase the amount of the Juvenile Court Referral Officer Program Grant. The purpose of the program funded by this grant, is to provide additional probation officers to evaluate the action to be taken on 2% of the youths sent to the Juvenile Court. The Council recessed to a Committee of the Whole for a public hearing at 8:32 p.m. and reconvened at 8:33 p.m. After limited debate, Proposal No. 511, 1980, was adopted on the following roll call vote; viz:

27 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mr. Miller, Mrs. Parker

Proposal No. 511, 1980, was retitled FISCAL ORDINANCE NO. 101, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Twenty-seven Thousand Nine Hundred Ninety-one Dollars (\$27,991) in the Crime Control Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.05 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to increase the amount of the Juvenile Court Referral Officer Program Grant. The additional funds and extension have been approved by LEAA.

SECTION 2. The sum of Twenty-seven Thousand Nine Hundred Ninety-one dollars (\$27,991) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

JUVENILE DIVISION-MARION COUNTY SUPERIOR COURT	CRIME CONTROL FUND
31. Personnel	\$27,541
34. Equipment	200
35. Operating	250
TOTAL INCREASES	<u>\$27,991</u>

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

JUVENILE DIVISION-MARION COUNTY SUPERIOR COURT	CRIME CONTROL FUND
Unappropriated and Unencumbered Crime Control Fund	<u>\$27,991</u>
TOTAL REDUCTIONS	<u>\$27,991</u>

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

PROPOSAL NO. 512, 1980. This proposal was also referred to the Public Safety and Criminal Justice Committee where it received a unanimous "do pass" recommendation. This proposal provides for the appropriation of \$1,985 in the Crime Control Fund for the Marion County Superior Court, Juvenile Division, for purposes of providing funds to increase the amount of the Judicial Training of Marion County Juvenile Court Grant. Mr. West explained that these monies only extended the program already in existence. The Council recessed to a Committee of the Whole for a public hearing at 8:34 p.m. and reconvened at 8:35 p.m. After brief comment, Mr. West moved for adoption, seconded by Councillor Hawkins. Proposal No. 512, 1980, was then adopted on the following roll call vote; viz:

25 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. Jones, Mr. McGrath, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

4 NOT VOTING: Mr. Dowden, Mr. Miller, Mrs. Parker, Mr. Schneider

Proposal No. 512, 1980, was retitled FISCAL ORDINANCE NO. 102, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 102, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional One Thousand Nine Hundred Eighty-five dollars (\$1,985) in the Crime Control Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.05 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to increase the amount of the Judicial Training of Marion County Juvenile Court Grant. The additional funds and extension of grant have been approved by LEAA.

SECTION 2. The sum of One Thousand Nine Hundred Eighty-five dollars (\$1,985) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

JUVENILE DIVISION—MARION	CRIME CONTROL
COUNTY SUPERIOR COURT	FUND
33. Travel	\$1,985
TOTAL INCREASES	\$1,985

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

JUVENILE DIVISION—MARION	CRIME CONTROL
COUNTY SUPERIOR COURT	FUND
Unappropriated and Unencumbered	
Crime Control Fund	\$1,985
TOTAL REDUCTIONS	\$1,985

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

PROPOSAL NOS. 458 and 459, 1980. These proposals for rezoning ordinances were held out for public hearing at the Regular Meeting of the Council on September 8, 1980, to be held out for public hearing at this meeting. President SerVaas explained that pursuant to the Code, a preliminary hearing had been held by the Assistant Counsel on October 17, 1980 ending with no basis for compromise by either party. President SerVaas also explained the procedure for the public hearing to follow, by stating that he would open debate, since the land in question is located in his councilmanic district, the petitioners, Mrs. Mildred Max and Susan Tintera and George Tintera, represented by Mr. Stephen D. Mears, and the remonstrators, represented by the Nora Community Council and the Wild Cherry Corner Group, would be given up to twenty minutes each for presentations. Public Comment would follow, with a limit of two minutes per each citizen. Council questions and debate would then be limited to two minutes per each Councillor, giving Dr. SerVaas five minutes for closing remarks. Councillor Tintera disqualified himself from taking part in the roll call vote to follow the hearing, due to possible conflict of interest.

After the Council recessed to a Committee of the Whole for public hearing at 8:43 p.m. Dr. SerVaas waived his two minutes for opening statements to Mr. Mears, representing the petitioners. Mr. Mears read a letter which he requested to be incorporated in the minutes as follows:

October 20, 1980

Re: Rezoning Cases 80-Z-102 A & B
Property at 96th and Whitley

On behalf of my clients, Mrs. Mildred Max, Susan Tintera and George Tintera, I request that this letter, objecting to a hearing on the above referenced rezoning petitions, be placed in the record of the City-County Council meeting to be held October 20, 1980. We intend to proceed with the hearing, pursuant to your request, under protest; and wish to preserve our objection by inclusion in the record.

Our objection to the hearing before the Council is based upon IC 1971, 18-7-2-42 and IC 1971, 18-7-2-43. It is our position that the subject rezoning petitions are already deemed approved and adopted by the City-County Council, inasmuch as the Council did not finally act upon the ordinance, as certified, within the prescribed thirty (30) days following certification. The law is clear that a hearing is mandatory within said thirty (30) day period.

Thank you.

Very truly yours,

TREACY COHEN MEARS & CRAWFORD
s/Stephen D. Mears

Mr. Mears continued his presentation by using areial views and maps of the property in question. Mr. Mears stated that the proposed rezoning will facilitate the building of a two-story office structure in an area that is presently zoned for C-1. Mr. Mears stated that commitments expressed by the group of home owners in the surrounding areas had been met, including a "buffer situation" associated with truck traffic moving on Haverstick Road. Mr. Mears reserved seven minutes, fifty seconds for rebuttal.

Mr. George Haerle, representing the citizens of the surrounding areas, and the Nora Community Council, and Wild Cherry Corner Group, drew comparison between the different zoning designations within the neighborhood and the reinforcement of residential policies in the past. Citizens of the neighborhood also testified to the valuation of the housing located in the area in question and voiced opposition to the building of commercial buildings in the area which was outlined with the aid of a slide presentation. The Remonstrators reserved three minutes, two seconds for rebuttal. Public comment was then allowed, during which residents of the area spoke in opposition to the rezoning, relaying fears of devaluation of property and excessive traffic. Council debate then followed, and Mr. Nick Shelley, Administrator of Planning and Zoning, was asked to relay the staff report of the Metropolitan Development Commission which was in favor of the rezoning by a vote of 3-2.

Individual rebuttals then followed, with the petitioner and remonstrator utilizing all of their remaining time. Proposal Nos. 458 and 459, 1980 were then adopted, upholding the decision of the Metropolitan Development Commission on the following roll call vote; viz:

21 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schnieder, Mrs. Stewart

6 NOES: Mr. Cottingham, Mr. Gilmer, Mr. SerVaas, Mr. Strader, Mr. Vollmer, Mr. West

2 NOT VOTING: Mr. Hawkins, Mr. Tintera

Proposal Nos. 458, and 459, 1980, were retitled REZONING ORDINANCE NOS. 144 and 145, 1980, respectively, and read as follows:

**REZONING ORDINANCE NO. 144, 1980 80-Z- 102 A WASHINGTON TOWNSHIP
COUNCILMANIC DSITRICT NO. 2
2901 EAST 96TH STREET, INDIANAPOLIS**

Mildred M. Max, George B. & Susan M. Tintera, by Stephen D. Mears, request the rezoning of 12.38 acres, being in A-2 district, to C-1 classification, to provide for commercial use.

**REZONING ORDINANCE NO. 145, 1980 80-Z- 102 B WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 2
9427 HAVERSTICK ROAD, INDIANAPOLIS**

Mildred M. Max, George B. & Susan M. Tintera, by Stephen D. Mears, request rezoning of 6.63 acres, being in A-2 district, to D-2 classification, to provide for residential use.

PROPOSAL NO. 514, 1980. Councillor West reported for the Public Safety and Criminal Justice Committee that this proposal appropriates an additional \$6,000 in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 4, providing funds for increased costs of pauper appeal counsel fees for indigent defendants; it received a "do pass" recommendation from the committee by a vote of 6-0. Mr. West commented on the appropriation, by stating that these moneys will enable the court to operate in the months of November and December of this year. The Council recessed to a Committee of the Whole for public hearing at 8:36 p.m. and reconvened at 8:37 p.m. After brief discussion, Proposal No. 514, 1980, was adopted on the following roll call vote; viz:

23 AYES: *Mr. Boyd, Dr. Borst, Mr. Campbell, Mr. Cottingham, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NOES

6 NOT VOTING: *Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. McGrath, Mrs. Parker*

Proposal No. 514, 1980, was retitled FISCAL ORDINANCE NO. 103, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Six Thousand Dollars (\$6,000) in the County General Fund for purposes of the Marion County Superior Court - Criminal Division, Room 4, 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for Pauper appeal counsel for indigent defendants.

SECTION 2. The sum of Six Thousand Dollars (\$6,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SUPERIOR COURT—CRIMINAL DIVISION— ROOM 4	COUNTY GENERAL FUND
10. Personal Services	\$6,000
TOTAL INCREASES	\$6,000

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

MARION COUNTY SUPERIOR COURT—CRIMINAL DIVISION— ROOM 4	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	\$6,000
TOTAL REDUCTIONS	\$6,000

SECTION 5. Section 2.03 (b) of the City-County Fiscal Ordinance No. 106, 1979, be amended by deleting the crosshatched portions and adding the new amounts herein:

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Court Reporter	2	13,363	26,726
Bailiff	2	11,874	21,830
Chief Clerk	1	11,556	11,556
Record Clerk	1	11,342	11,342
Clerk	1	9,095	9,095
Master Commissioner	1	14,400	14,400
Secretary	1	10,914	10,914
Professional Salaries			48,310
Pauper Attorney Appeals Fees			62,700 68,700
Jury Per Diem			48,690
Temporary Help			2,000

The official responsible for hiring and fixing compensation for each of these rooms shall limit the number of personnel or the compensation or both so that the total compensation by room paid shall not exceed the amount of the total personal services appropriation of each room; room one, \$276,793; room two, \$274,363; room three, \$281,057; room four, ~~\$277,063~~ \$283,063.

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

PROPOSAL NO. 545, 1980. Councillor Gilmer reported for the Parks and Recreation Committee that this proposal transferring \$225,000 in the Park General Fund for the Department of Parks and Recreation, providing funds for increased utility costs and maintenance of ten parks and associated facilities, received a "do pass" recommendation from the committee by a vote of 7-0. Mr. Gilmer explained that this transfer is possible due to the phasing down of personnel now, which is provided for in the 1981 budget, with a large amount of this transfer going for costs of street lights and the balance of the insurance claim deductible charge for Sarah Shank Golf Course Lodge. Mr. Gilmer moved for adoption, seconded by Councillor Howard. Proposal No. 545, 1980, was then adopted on the following roll call vote; viz:

26 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. SerVaas, Mrs. Stewart, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

3 NOT VOTING: Mr. Dowden, Mr. Schneider, Mr. Strader

Proposal No. 545, 1980, was retitled FISCAL ORDINANCE NO. 104, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Two Hundred Twenty-five Thousand Dollars (\$225,000) in the Park General Fund for purposes of the Department of Parks and Recreation 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for increased utility costs and maintaining facilities for the remainder of 1980 in order to continue recreational programs requested by the public.

SECTION 2. The sum of Two Hundred Twenty-five Thousand Dollars (\$225,000) 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:

DEPARTMENT OF PARKS AND RECREATION	PARK GENERAL FUND
21. Contractual Services	\$200,000
23. Materials	25,000
TOTAL INCREASES	\$225,000

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

DEPARTMENT OF PARKS AND RECREATION	PARK GENERAL FUND
10. Personal Services	\$200,000
24. Current Charges	15,000
25. Current Obligations	10,000
TOTAL REDUCTIONS	\$225,000

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 187, 1980. Councillor Durnil reported for the Metropolitan Development Committee that this proposal, appropriating \$52,200 from the Redevelopment General Fund for purposes of the Northwest Area Community Center rehabilitation received a "to strike" vote from the committee by a vote

of 5-0. Mrs. Journey moved, seconded by Councillor Durnil, to strike this proposal due to the lack of matching funds. Proposal No. 187, 1980, was then stricken by voice vote.

PROPOSAL NOS. 351, and 360. These companion proposals, appropriating an additional \$4,075 each in the Redevelopment General Fund and the Community Services Program Fund respectively, were postponed by consent of the Council until the November 5, 1980, meeting of the full Council.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 382, 1980. Councillor Miller reported for the Administration Committee that this proposal amends the Code Section 2-145 (a) of Chapter 2 which deals with selection of employees to the Division of Internal Audit. The committee recommended the Council "do pass as amended" the proposal by a vote of 4-2. Mr. Miller moved that the committee recommendation version which deletes the words relating to the regarding of political affiliation, be substituted for the introduced version, seconded by Councillor Parker. A roll call vote was then taken on Mr. Miller's motion to substitute the committee recommendations which failed as follows:

9 AYES: Mrs. Coughenour, Mr. Durnil, Mr. Holmes, Mr. Jones, Mr. Miller, Mrs. Nickell, Mrs. Parker, Mr. Tintera, Mr. West

18 NOES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer

2 NOT VOTING: Mr. Dowden, Mr. Schneider

After further council debate, Councillor Gilmer moved to table Proposal No. 382, 1980 indefinitely, seconded by Councillor Holmes. Proposal No. 382, 1980, was then tabled indefinitely on the following roll call vote; viz:

18 AYES: Dr. Borst, Mrs. Brinkman, Mr. Cottingham, Mr. Durnil, Mr. Gilmer, Mr. Holmes, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mrs. Parker, Mr. Rader, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. West

10 NOES: Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mr. Howard, Mr. Jones, Mr. Page, Mr. Vollmer

1 NOT VOTING: Mr. Rhodes

PROPOSAL NO. 418, 1980. Councillor McGrath reported that the Transportation Committee had recommended that the full Council "strike" this proposal by a vote of 4-1-1. This proposal prohibits parking on a portion of Lockerbie Street during certain hours. An alternative solution to the problem was reached by DOT and the residents of the area, and it was agreed that erecting six-hour parking signs would alleviate the difficulties the residents have been experiencing, which requires no ordinance. In light of this report, Mr. McGrath moved, seconded by Councillor Rhodes to strike Proposal No. 418, 1980. Proposal No. 418, 1980, was then stricken on a unanimous voice vote.

PROPOSAL NO. 437, 1980. This proposal, which authorizes changes in the personnel compensation schedule of the Superior Court, Criminal Division, Room 4, received a "do pass" recommendation from the Public Safety and Criminal Justice Committee by a vote of 5-0. Councillor West reported that proposal transfers within the budget, \$310 from "Jury Per Diem" into "Professional Salaries". After brief discussion, Councillor West moved for adoption, seconded by Councillor Howard. Proposal No. 437, 1980, was then adopted on the following roll call vote; viz:

29 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West
NO NOES

Proposal No. 437, 1980, was retitled FISCAL ORDINANCE NO. 105, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) authorizing changes in the personnel compensation schedule (Section 2.03) of the Superior Court-Criminal Division, Room 4.

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

SECTION 1. Section 2.03 (b) of the City-County Fiscal Ordinance No. 106, 1979, be amended by deleting the crosshatched portions and adding the new amounts herein:

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Court Reporter	2	13,363	26,726
Bailiff	2	11,874	21,830
Chief Clerk	1	11,556	11,556
Record Clerk	1	11,342	11,342
Clerk	1	9,095	9,095
Master Commissioner	1	14,400	14,400
Secretary	1	10,914	10,914
Professional Salaries			148,000
Pauper Attorney Appeals Fees			60,000
Jury Per Diem			48,690
Temporary Help			2,000

The official responsible for hiring and fixing compensation for each of these rooms shall limit the number of personnel or the compensation or both so that the total compensation by room paid shall not exceed the amount of the total personal services appropriation of each room; room one, \$276,793; room two, \$274,363; room three, \$281,057; room four, \$274,363.

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

PROPOSAL NO. 439, 1980. This proposal transfers \$400 in the County General Fund for purposes of the Superior Court, Civil Division, Room 5 for purposes of providing funds for payment of a maintenance agreement on recording equipment used in the courtroom; it received a "do pass" recommendation" from the Public Safety and Criminal Justice Committee by a vote of 6-0. After Council discussion and debate, Proposal No. 439, 1980, was adopted on the following roll call vote; viz:

28 AYES: Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

1 NOT VOTING: Mr. Boyd

Proposal No. 439, 1980, was retitled FISCAL ORDINANCE NO. 106, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Four Hundred dollars (\$400) in the County General Fund for purposes of the Superior Court, Civil Division, Room 5, 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for a maintenance agreement on equipment.

SECTION 2. The sum of Four Hundred dollars (\$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:

SUPERIOR COURT—CIVIL	COUNTY GENERAL
DIVISION—ROOM 5	FUND
21. Contractual Services	\$400
TOTAL INCREASES	<u>\$400</u>

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

SUPERIOR COURT—CIVIL	COUNTY GENERAL
DIVISION—ROOM 5	FUND
22. Supplies	\$400
TOTAL REDUCTIONS	<u>\$400</u>

SECTION 5. Section 2.03 (b) (7) of the Fiscal Ordinance No. 106, 1979, be and the same is hereby amended by the deletion of the portions crosshatched and the addition of the underlined, to wit:

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Reporter	1	15,000	15,000
Ass't. Court Reporter	1	14,500	14,500
Bailiff	2	12,700	12,700 <u>25,200</u>
Jury Per Diem			10,000
Temporary Help			11,000 <u>1,200</u>

The official responsible for hiring and fixing compensation for each room shall limit the number of personnel or the compensation or both so that the total compensation shall not exceed the total services personnel appropriation for that room, to wit: room one, \$71,300; room two, \$70,000; room three, \$71,500; room four, \$70,000; room five, \$75,400; room six, \$73,000; room seven, \$69,800.

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

PROPOSAL NO. 476, 1980. Councillor Durnil commented that this proposal, which was heard in the Metropolitan Development Committee, transfers \$6,650 in the Consolidated County General fund for the cost of increased tax warrant interest expenses, unemployment compensation, and social security taxes for the Code Enforcement Division, Department of Metropolitan Development due to underbudgeting. Mr. Durnil reported that this proposal received a "do pass" recommendation from the Metropolitan Development Committee by a vote of 5-0 and moved for adoption, seconded by Councillor Rader. Proposal No. 476, 1980, was then adopted on the following roll call vote; viz:

28 AYES: Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

1 NOT VOTING: Mr. Boyd

Proposal No. 476, 1980, was retitled FISCAL ORDINANCE NO. 107, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Six Thousand Six Hundred Fifty dollars (\$6,650) in the Consolidated County General Fund for purposes of the Code Enforcement Division, Department of Metropolitan Development 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of transferring funds for increased interest expenses, unemployment compensation and social security taxes.

SECTION 2. The sum of Six Thousand Six Hundred Fifty dollars (\$6,650) 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:

DIVISION OF CODE ENFORCEMENT	CONSOLIDATED COUNTY
DEPT. O METRO. DEV.	GENERAL FUND
25. Current Obligations	\$6,650
TOTAL INCREASES	\$6,650

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

DIVISION OF CODE ENFORCEMENT	CONSOLIDATED COUNTY
DEPT. OF METRO. DEV.	GENERAL FUND
21. Contractual Services	\$6,350
24. Current Charges	300
TOTAL REDUCTIONS	\$6,650

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

PROPOSAL NO. 503, 1980. Councillor Tintera explained that this proposal as introduced, authorizes proceedings with economic development bond financing for The Majestic Partnership Project in the amount of \$1,950,000. Mr. Tintera moved for the substitution of the "committee recommendation" version of this proposal, for the Council's consideration which increases the issue amount to \$2,000,000, and adds that the moneys will be "privately placed". Councillor Brinkman seconded the motion to amend Proposal No. 503, 1980, which was then substituted by consent of the full Council. Mr. Tintera went on to outline the specifics of the project, by stating that the bond issue will cover the expenses of rehabilitating a ten-story commercial building located at 47 South Pennsylvania Street and will be leased and sub-leased to firms which will include Woollen Associates. After further discussion, Proposal No. 503, 1980, As Amended, was adopted on the following roll call vote; viz:

27 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mr. Dowden, Mr. Schneider

Proposal No. 503, 1980, As Amended, was retitled SPECIAL RESOLUTION NO. 81, 1980, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 81, 1980

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by IC 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, rehabilitation and equipping of said facilities, and said facilities to be either sold or leased to a Developer or the funds from said financing to be loaned to a Developer and said facilities to be directly owned by a Developer and leased or sub-leased to users; and

WHEREAS, The Majestic Partnership, an Indiana Limited Partnership (the "Developer"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, rehabilitate and equip certain economic development facilities and sell or lease the same to the Developer or loan the proceeds of an economic development financing to the Developer for the same, said economic development facilities will consist of the acquisition of land and rehabilitation of the existing ten story commercial building located at 47 South Pennsylvania Street, Indianapolis, Indiana, to be leased or sub-leased substantially to various users (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 6 new jobs at the end of one year and 12 new jobs at the end of three years) to be achieved by the acquisition, rehabilitation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City of Indianapolis and its citizens; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, equipping and rehabilitation and leasing or sub-leasing of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; 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 finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Indianapolis, Indiana, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$2,000,000 under the Act to be privately placed, for the acquisition, rehabilitation and equipping of the Project and the sale or leasing of the Project to the Developer or the loaning of the proceeds of such financing to the Developer for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Developer to proceed with the acquisition, rehabilitation and equipping of the Project, the City-County Council hereby finds, determines, ratifies, and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Developer; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Developer of moneys expended by the Developer for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, rehabilitation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter either lease the same to the Developer or loan the proceeds of such financing to the Developer for the same purpose or sell the same to the Developer.

PROPOSAL NOS. 505-508, 1980. Councillor McGrath requested that these proposals, all being routine traffic ordinances, receiving "do pass" recommendations from the Transportation Committee, be heard jointly; consent was given. Proposal No. 505, 1980 as outlined by Mr. McGrath provides for intersection controls at several intersections which previously had had no controls. Proposal No. 506, 1980 removes on-street parking on a portion of York Street and was requested by Eli Lilly, to enable smoother traffic flow ingressing and egressing from York Street onto Kentucky Avenue. Proposal No. 508, 1980 deletes gross weights on numerous bridges and roads, due to the closing to automobiles for reconstruction. Councillor McGrath moved for adoption of Proposal Nos. 505-508, 1980, seconded by Councillor Stewart. Proposal Nos. 505-508, 1980, were then adopted on the following roll call vote; viz:

29 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

Proposal Nos. 505-508, 1980, were retitled GENERAL ORDINANCE NOS. 64-67, 1980, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 1980

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by providing for intersection controls at certain intersections. (Amends Code Section 29-92)

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
1, Pg. 1	Conarroe Rd. & Falcon Ridge	Conarroe Rd.	Stop
16, Pg. 1	Commons Dr. & N. High School Rd.	N. High School Rd.	Stop
16, Pg. 5	Glenarm Rd. & Westhaven Dr.	Glenarm Rd.	Stop
16, Pg. 5	N. High School Rd. & Westhaven Dr.	N. High School Rd.	Stop
37, Pg. 2	Furnas Rd. & Winship Dr.	Furnas Rd.	Stop
37, Pg. 2	Furnas Ct. & Winship Dr.	Winship Dr.	Yield
37, Pg. 4	Winship Dr. & Winship Ct.	Winship Dr.	Yield
37, Pg. 1	Closser Ct. & Winship Dr.	Winship Dr.	Yield
37, Pg. 2	Hobbs Ct. & Winship Dr.	Winship Dr.	Yield
37, Pg. 1	Coppock Dr. & Wheel Horse Dr.	Wheel Horse Dr.	Stop
37, Pg. 1	Coppock Dr. & Dollar Hide, S. Dr.	Dollar Hide, S. Dr.	Stop
37, Pg. 1	Dollar Hide, S. Dr. WB & Dollar Hide, S. Dr. NEB & Wheel Horse Dr., SEB	Dollar Hide S. Dr. WB & Wheel Horse Dr. SEB	Yield
37, Pg. 1	Barnett Ln. & Dollar Hide S. Dr.	Dollar Hide S. Dr.	Yield
37, Pg. 1	Barnett Ln. & Milhouse Rd.	Milhouse Rd.	Yield
37, Pg. 3	Milhouse Rd. & Old Mill Dr.	Milhouse Rd.	Stop
37, Pg. 4	Northport Dr. & Old Mill Dr.	Old Mill Dr.	Stop
37, Pg. 3	Milhouse Rd. & Milhouse Ct.	Milhouse Rd.	Yield
37, Pg. 1	Epperson Dr. & Epperson Ct.	Epperson Dr.	Yield

SECTION 2. Violation of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana", for violations of the section amended by this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

CITY-COUNTY GENERAL ORDINANCE NO. 65, 1980

A GENERAL ORDINANCE providing for intersection control changes at the intersection of W. 10th Street with Beechway Drive and Vinewood Street. (Amends Code Section 29-92)

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
23, Pg. 1	W. 10th Street & Beechway Drive & N. Vinewood Street	W.10th Street	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana" specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
23, Pg. 1	W. 10th Street & Beechway Dr. & N. Vinewood St.		Signal

SECTION 3. 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.

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

CITY-COUNTY GENERAL ORDINANCE NO. 66, 1980

A GENERAL ORDINANCE restricting on-street parking on a portion of York Street. (Amends Code Section 29-267)

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 19, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

York Street, on both sides, from Nordyke Avenue to Kentucky Avenue

SECTION 2. Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana" for violations of the section amended by this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1980

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by deleting gross weights on numerous bridges and roads. (Amends Code Section 29-224)

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, "Trucks on certain streets restricted", be, and the same is hereby amended by the deletion of the following, to wit:

4,000 POUNDS GROSS WEIGHT

Bolton Avenue, over Pleasant Run Creek, in Warren Township
East Sixty-Seventh Street Bridge over Howland Ditch, in Washington Township
Muessing Road, from Brookville Road to Prospect Street
Perkins Avenue Bridge, over Bean Creek, in Center Township

10,000 POUNDS GROSS WEIGHT

Ninety-First Street, from Spring Hollow Drive to Pickwick Drive
Barth Avenue Bridge, over Pleasant Run Creek, in Center Township
East Tenth Street Bridge, over Pleasant Run Creek, in Warren Township
Mann Road, over Dollar Hide Creek
Westfield Boulevard, old steel bridge over White River overflow, 350 feet north of
Seventy-Second Street

20,000 POUNDS GROSS WEIGHT

Thirty-Eight Street, from Franklin Road, East, to a point 1,000 feet west of Post
Road
Thirty-Eighth Street, from Franklin Road, West to State Road 100
West Twenty-Fifth Street Bridge, over the Indianapolis Water Company Canal,
in Center Township

SECTION 2. Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana", for violations of the section amended by this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 510, 1980. Councillor Dowden explained that this proposal as introduced, transfers \$5,000 in the County General Fund for the Cooperative Extension, funding the payment of a copy machine rental expenses; it received a "do pass as amended" recommendation from the Community Affairs Committee by a vote of 5-1. Mr. Dowden moved, seconded by Councillor Schneider, to substitute the "committee recommendations" version of this proposal which amends the figure to \$3,500; the motion to substitute the "committee recommendation" version of Proposal No. 510, 1980, was then approved by unanimous voice vote. Discussion continued pertaining to the possibility of the purchase of the machine the extension is currently renting. Proposal No. 510, 1980, As Amended, was then adopted on the following roll call vote; viz:

28 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

1 NO: Dr. Borst

Proposal No. 510, 1980, As Amended, was retitled FISCAL ORDINANCE NO. 108, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Three Thousand Five Hundred Dollars (\$3,500) in the County General Fund for purposes of the Cooperative Extension 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of paying equipment rental charges.

SECTION 2. The sum of Three Thousand Five Hundred dollars (\$3,500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

COOPERATIVE EXTENSION	COUNTY GENERAL FUND
24. Current Charges	\$3,500
TOTAL INCREASES	\$3,500

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

COOPERATIVE EXTENSION	COUNTY GENERAL FUND
21. Contractual Services	\$3,500
TOTAL REDUCTIONS	\$3,500

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

PROPOSAL NO. 513, 1980. Councillor West reported for the Public Safety and Criminal Justice Committee that this proposal transfers \$2,700 in the County General Fund for the Marion County Superior Court, Criminal Division, Room 4, for purposes of providing funds for additional pauper appeal counsel for indigent defendants. These funds, in conjunction with Proposal No. 514, 1980, will enable the court to cover these costs through the months of November and December. After limited debate, Proposal No. 513, 1980, was adopted on the following roll call vote; viz:

29 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

Proposal No. 513, 1980, was retitled FISCAL ORDINANCE NO. 109, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Two Thousand Seven Hundred dollars (\$2,700) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 4, 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for pauper appeal counsel for indigent defendants.

SECTION 2. The sum of Two Thousand Seven Hundred dollars (\$2,700) 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 SUPERIOR COURT—CRIMINAL DIVISION— ROOM 4	COUNTY GENERAL FUND
10. Personal Services	\$2,700
TOTAL INCREASES	\$2,700

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

MARION COUNTY SUPERIOR COURT—CRIMINAL DIVISION— ROOM 4	COUNTY GENERAL FUND
21. Contractual Services	\$1,500
22. Supplies	500
50. Properties	700
TOTAL REDUCTIONS	\$2,700

SECTION 5. Section 2.03 (b) of the City-County Fiscal Ordinance No. 106, 1979, be amended by deleting the crosshatched portions and adding the new amounts herein:

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Court Reporter	2	13,363	26,726
Balliff	2	11,874	21,830
Chief Clerk	1	11,556	11,556
Record Clerk	1	11,342	11,342
Clerk	1	9,095	9,095
Master Commissioner	1	14,400	14,400
Secretary	1	10,914	10,914
Professional Salaries			48,310
Pauper Attorney Appeals Fees			60,000 62,700
Jury Per Diem			48,690
Temporary Help			2,000

The official responsible for hiring and fixing compensation for each of these rooms shall limit the number of personnel or the compensation or both so that the total compensation by room paid shall not exceed the amount of the total personal services appropriation of each room: room one, \$276,793; room two, \$274,363; room three, \$281,057; room four, \$274,363 \$277,063.

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

PROPOSAL NOS. 547-552, 1980. No action was taken by the Council on these proposals; they were retitled REZONING ORDINANCE NOS. 146-151, 1980, respectively, and read as follows:

**REZONING ORDINANCE NO. 146, 1980 80-Z-140 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
5245 WEST REGENT STREET, INDIANAPOLIS**

Building Corporation of Mars Hill-Drexel Gardens', Inc., by Sybil A. Allan, requests rezoning of 0.10 acre, being in D-5 district, to SU-38 classification, to provide for use of the existing building as a facility for social service agencies and educational and charitable organizations.

**REZONING ORDINANCE NO. 147, 1980 80-Z-149 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
230 WEST SOUTH STREET, INDIANAPOLIS**

Bid V Associates, by Paul G. Roland, requests rezoning of 2.31 acres, being in I-3-U district, to C-4 classification, to provide for commercial use.

**REZONING ORDINANCE NO. 148, 1980 80-Z-167 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

12260 EAST 75TH STREET, LAWRENCE, INDIANA

The Metropolitan Development Commission, by J. Nicholas Shelley, Administrator, requests rezoning of 10.53 acres, being in DP district, to A-2 classification, to correct a mapping error based upon information found in rezoning petition 73-Z-278.

**REZONING ORDINANCE NO. 149, 1980. 80-Z-168 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18**

25 SOUTH HIGH SCHOOL ROAD, INDIANAPOLIS

The Metropolitan Development Commission, by J. Nicholas Shelley, Administrator, requests rezoning of 2.79 acres, being in C-4 district, to D-4 classification, to correct a mapping error based upon information found in rezoning petition 76-Z-141.

**REZONING ORDINANCE NO. 150, 1980 80-Z-169 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

830 NORTH MITTHOEFFER ROAD, INDIANAPOLIS

The Metropolitan Development Commission, by J. Nicholas Shelley, Administrator, requests rezoning of 8.85 acres, being in SU-1 district to A-2 classification to correct a mapping error based upon information found in rezoning petition 61-Z-121.

**REZONING ORDINANCE NO. 151, 1980 80-Z-171 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

7980 SOUTH MERIDIAN STREET, INDIANAPOLIS

The Metropolitan Development Commission, by J. Nicholas Shelley, Administrator, requests rezoning of 3.02 acres, being in C-1 district, to C-3 classification to comply with conclusions of law in the Superior Court of Hancock County Cause number SC 2678.

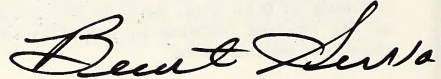
ANNOUNCEMENTS AND ADJOURNMENT

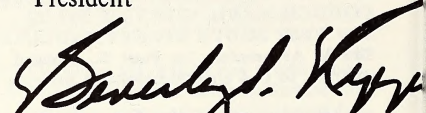
There being no further business, and upon motion duly and made and seconded, the meeting adjourned at 11:06 p.m.

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, Indiana, held at its Regular Meeting on the 20th day of October, 1980.

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)