

**POSTPONED REGULAR MEETING
CITY-COUNTY COUNCIL
Monday, August 9, 1976**

A Postponed Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:15 p.m., Monday, August 9, 1976, President SerVaas in the chair. Councilman Durnil opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

PRESENT: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Ms. Hart, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

ABSENT: Mr. Campbell

CALL FOR POSTPONED REGULAR MEETING

The President called for the reading of Special Notices and the Clerk read the following:

**TO THE MEMBERS OF THE CITY-COUNTY COUNCIL OF
INDIANAPOLIS—MARION COUNTY**

Ladies and Gentlemen:

You are hereby notified that there will be a POSTPONED REGULAR MEETING of the City-County Council held in the City-County Building, in the Council Chambers, on August 9, 1976, at 7:00 p.m. the purpose of such MEETING being to conduct any and all business that may properly come before a regular meeting of the Council.

Respectfully,

**Beurt SerVaas, President
City-County Council**

CORRECTION OF JOURNAL

President SerVaas called for additions or corrections to the Journal of July 26, 1976, as distributed. There being no additions or corrections, the minutes were approved, as distributed.

OFFICIAL COMMUNICATIONS

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

August 4, 1976

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 posted in three (3) public places on July 27, 1976, a "Notice to Taxpayers" on Proposal No. 329, 1976, and published in the Indianapolis News and the Indianapolis Commercial on July 29, 1976, and August 5, 1976, a "Notice to Taxpayers" of a Public Hearing to be held on Monday, August 9, 1976, at 7:00 p.m. on Proposal Nos. 321, and 329, 1976.

I also caused to be published in the Indianapolis Commercial and the Indianapolis News on July 29, 1976, and August 5, 1976 a "Notice of Public Hearing on Zoning" on Proposal No. 319, 1976.

Respectfully,

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 City-County Ordinances:

GENERAL ORDINANCE NO. 79, 1976, The Metropolitan Plan Commission of Marion County, Indiana, proposes amendment to said Marion County Council Ordinance No. 8-1957, as amended, and all zoning ordinances adopted as parts thereof, by the adoption of Ordinance 75-AO-3, amending the **COMMERCIAL ZONING ORDINANCE OF MARION COUNTY, INDIANA (69-AO-1)** (as amended) setting forth land uses permitted, regulations, specifications, requirements and developments and performance standards applicable thereto, etc.

FISCAL ORDINANCE NO. 63, 1976, amending the **CITY-COUNTY ANNUAL BUDGET FOR 1976** and appropriating an additional \$3,900 in the Crime Control Fund for purposes of the Municipal Court.

FISCAL ORDINANCE NO. 69, 1976 amending the **CITY-COUNTY ANNUAL BUDGET FOR 1976** and appropriating an additional \$64,658.60 in the Sanitary District Fund for purposes of the Sanitation Division of the Department of Public Works.

FISCAL ORDINANCE NO. 70, 1976, amending the **CITY-COUNTY ANNUAL BUDGET FOR 1976** and appropriating an additional \$1,000,00 in the County General Fund for purposes of the County Administrative Office of the Mayor.

GENERAL RESOLUTION NO. 17, 1976, approving the schedule of charges for the care and maintenance of patients and residents of the Marion County Home and Julietta Convalescent Center as fixed by the County Home Board.

GENERAL ORDINANCE NOS. 80 - 96, 1976, amending the Code of Indianapolis and Marion County, Indiana, and more particularly Chapter 29, establishing regulations, providing penalties, and fixing a time when the same shall take effect.

FISCAL ORDINANCE NO 74, 1976 amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 and transferring \$758,400 in the Transportation General Fund for purposes of the Department of Transportation.

GENERAL RESOLUTION NO. 18, 1976 authorizing the City of Indianapolis to make application for a grant from the National Science Foundation, Intergovernmental Science and Research Applications Directorate.

FISCAL ORDINANCE NO. 76, 1976, amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 and transferring \$44,624 in the Flood Control District Fund for purposes of the Flood Control Division of the Department of Public Works.

FISCAL ORDINANCE NO. 77, 1976 amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 and transferring \$183,018 in the Sanitary District Fund for purposes of the Sanitary District of the Department of Public Works.

GENERAL ORDINANCE NO. 97, 1976, fixing the salaries to be paid all elected and appointed officers and employees of the various townships in Marion County, Indiana, pursuant to I.C. 1971, 17-4-28.

Respectfully submitted,

William H. Hudnut, III
Mayor

PRESENTATION OF PETITIONS

Councilman Dowden spoke regarding changing the name of Weir Cook Airport and requested that the City-County Council, which is representative of the entire community, assign to a Council Committee the responsibility of obtaining public input into the name change. The President assigned responsibility to the Municipal Corporations Committee.

INTRODUCTION OF GUESTS

Councilman Anderson introduced Mr. and Mrs. Charles Pearson of Decatur Township.

Councilman Howard introduced the Reverend John Redmond of the First Baptist Church of Bridgeport and members of his congregation.

Councilman Durnil introduced Mr. and Mrs. Furst.

Councilman Vollmer introduced Mr. Daniel Orcutt of the Indianapolis Airport Authority.

Councilman Walters introduced Mr. and Mrs. Ray Benson, representatives of S.A.R.A. (Southwest Area Residents Association) and approximately fifteen members of their group.

INTRODUCTION OF PROPOSALS

President SerVaas called for introduction of new proposals. The Clerk read the following:

Proposal No. 330, 1976. Introduced by Councilman Miller. The Clerk read the Proposal entitled, "A Proposal for a General Ordinance further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Section 29-224, establishing regulations, providing penalties, and fixing a time when the same shall take effect;" and the President referred it to the Transportation Committee.

Proposal No. 331, 1976. Introduced by Councilman Miller. The Clerk read the Proposal entitled, "A Proposal for a General Ordinance further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Section 29-92, establishing regulations, providing penalties and fixing a time when the same shall take effect; and the President referred it to the Transportation Committee.

Proposal No. 332, 1976. Introduced by Councilman Miller. The Clerk read the Proposal entitled, "A Proposal for a General Ordinance further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Sections 29-92 and 136, establishing regulations, providing penalties, and fixing a time when the same shall take effect;" and the President referred it to the Transportation Committee.

Proposal No. 333, 1976. Introduced by Councilman Miller. The Clerk read the Proposal entitled, "A Proposal for a General Ordinance further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Section 29-92 & 136, establishing regulations, providing penalties, and fixing a time when the same shall take effect;" and the President referred it to the Transportation Committee.

Proposal No. 334, 1976. Introduced by Councilman Schneider. The Clerk read the Proposal entitled, "A Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and transferring

appropriations of Twenty-Five Thousand Dollars (\$25,000.00) in the County General Fund for purposes of the Marion County Home and reducing certain other appropriations for that Department;" and the President referred it to the County and Townships Committee.

Proposal No. 335, 1976. Introduced by Councilman Cantwell. The Clerk read the Proposal entitled, "A Proposal for a General Ordinance repealing Fiscal Ordinance No. 26, 1976, allocating \$1,000,000.00 to the Indianapolis Convention and Visitors Bureau;" and the President referred it to the Parks and Recreation Committee.

Proposal No. 336, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Eighty-Five Thousand Eight Hundred Seventy-Five Dollars and Twenty-three Cents (\$85,875.23) in the Crime Control Fund for purposes of Municipal Courts 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. 337, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Seven Hundred Fifty-Eight Dollars (\$758.00) in the Crime Control Fund for purposes of Juvenile Court 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. 338, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional One Thousand Twenty-Three Dollars (\$1,023.00) in the Crime Control Fund for purposes of Juvenile Court 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. 339, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Seventy-Nine Thousand Eight Hundred Twelve Dollars

(\$79,812.00) in the Crime Control Fund for purposes of the 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. 340, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Two Hundred Fifty Thousand Dollars (\$250,000) in the County General Fund for purposes of the Marion County Jail 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. 341, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Fifty Thousand Dollars (\$50,000) in the County General Fund for purposes of the Marion County Jail 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. 342, 1976. Introduced by Councilman McPherson. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Three Thousand Two Hundred Dollars (\$3,200.00) in the Sanitation General Improvement Fund for purposes of the Sanitation Division of the Department of Public Works and reducing the unappropriated and unencumbered balance in the Sanitation General Improvement Fund;" and the President referred it to the Public Works Committee.

Proposal No. 343, 1976. Introduced by Councilman McPherson. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Fifty Thousand Dollars (\$50,000.00) in the City Market Fund for purposes of the Department of Public Works, City Market Division, and reducing the certain other appropriations for that division, and the unappropriated and unencumbered balance in the City Market Fund;" and the President referred it to the Public Works Committee.

Proposal No. 344, 1976. Introduced by Councilman Dowden. The Clerk read the Proposal entitled, "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Six Hundred Ninety-One Thousand Six Hundred Eighty-One Dollars (\$691,681.00) in the County Welfare Title XX Fund for purposes of the County Department of Public Welfare Title XX Fund for purposes of the County Department of Public Welfare and reducing certain other appropriations for that Department in the County Welfare Title XX Fund; and the President referred it to the Community Affairs Committee.

SPECIAL ORDERS – PUBLIC HEARING

Proposal No. 319, 1976. The Council recessed to a Committee of the Whole at 7:30 p.m. and reconvened at 8:20 p.m. After public hearing and following discussion, the following persons spoke: Councilman Durnil; Petitioner Daniel Orcutt, Indianapolis Airport Authority; Remonstrators Mary and Ray Benson, Southwest Area Residents Association; Ruth Hayes, of Pennsylvania Heights and Mr. John Redmond. Mr. Harold Rominger reiterated City staff opinion on behalf of the Department of Metropolitan Development.

After considerable discussion, Councilman Howard moved seconded by Councilman Bayt the Previous Question to end discussion on Public Hearing of Proposal No. 319, 1976, at 8:25 p.m.

The motion failed by voice vote, and President SerVaas called for a further question and answer period in order to enable remonstrations equal speaking privileges. The question and answer session concluded at 8:36 p.m.

Councilman Boyd moved, seconded by Councilman Cantwell a motion for moratorium as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that the Indianapolis City-County Council request from the Department of Metropolitan Development Commission a moratorium on the kind of construction in the area in question, and the air access which Proposal No. 319, 1976 seeks to protect.

**Rozelle Boyd
Councilman**

President SerVaas ruled that Proposal No. 319, 1976, either be passed or defeated before the moratorium motion be considered eligible for passage.

Proposal No. 319, 1976, was rejected on the following roll call vote; viz:

NO AYES

28 NOES: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mr Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Ms. Hart, Mr Hawkins, Mr Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr Rippell, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr Tintera, Mr Vollmer Mr. Walters and Mr West.*

Councilman Boyd moved, seconded by Councilman Clark, his previous motion that the Indianapolis City-County Council request from the department of Metropolitan Development Commission a moratorium on the kind of construction in the area in question, and the air access, which Proposal No. 319, 1976, seeks to protect.

The motion carried by unanimous voice vote.

Proposal No. 321, 1976. By consent, Proposal No. 321, 1976, was postponed until the Council meeting of August 23, 1976.

Proposal No. 323, 1976. By consent, Proposal No. 323, 1976, was postponed until the Council meeting of August 23, 1976.

Proposal No. 329, 1976. By consent, Proposal No. 329, 1976, was postponed until the Council meeting of September 13, 1976.

ADJOURNMENT

Upon motion duly made by Councilman Kimbell, seconded by Councilman Patterson, the meeting was adjourned at 8:50 p.m.

We hereby certify 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 9th day of August, 1976.

IN WITNESS WHEREOF, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

Brent Suvar

PRESIDENT

ATTEST:

Samuel W. King

CLERK OF THE CITY- COUNTY COUNCIL

(SEAL)