

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
POSTPONED REGULAR MEETING
Monday, November 15, 1976**

A Postponed Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:55 p.m., Monday, November 15, 1976, President SerVaas in the chair. Councilman Walters opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

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

ABSENT: Mr. Gilmer, and Mr. Patterson

CALL FOR POSTPONED REGULAR MEETING

The President called for 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 Monday, November 15, 1976, 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**

CORRECTION OF JOURNAL

President SerVaas called for additions or corrections to the Journal of November 3, 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:

**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 Commercial and the Indianapolis News on November 4, 1976, and November 11, 1976, a "Notice to Taxpayers" on Proposal No. 463, 1976, for a Public Hearing to be held on Monday, November 15, 1976, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippey
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. Rippey, the following City-County Ordinances:

GENERAL ORDINANCE NOS. 130-135, 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.

SPECIAL RESOLUTION NO. 16, 1976 acknowledging the continued willingness of the City of Indianapolis to accept the gift of certain property from New Hope Foundation of Indiana, Incorporated, free and clear of any liens or liabilities.

Respectfully,

s/William H. Hudnut, III
Mayor

INTRODUCTION OF GUESTS

Councilman Pearce introduced Scout Leaders Richard King and Andrew Byer and members of the Scout Troop No. 289 of N.W. Gethsemane Presbyterian Church. Councilman Howard introduced Emerson L. Foster of Alpha Psi Alpha Fraternity,

St. John M.B. Church Brother; Chester Little, Progressive Community Club; Leone Little, League of Women Voters; John Lands, Director Fall Creek YMCA, Nyufu Elmore of People for Jobs Now; and Nancy Shaw of Indianapolis Human Rights Commission. Councilman Tintera introduced Byron Buckley, North Central High School Government Teacher and Coach of their State Champion Boys' Tennis Team; Doug Pètt, Scoutmaster of Blind School Scout Troop and Pre-Dental student at Butler University, Juli Smith, Assistant Scoutmaster, Senior at North Central High School and member of the State Championship Girls' Tennis Team; Tom Smith, Eagle Scout Troop 56, Student at Northview and Jr. Ass't Scoutmaster; and Jerry Killan, Mark Fairchild, Ken Wieshaur, Jeff Whitmore, and Tim Smith all members of Scout Troop No. 56; and Blind School Troop No. 16 members Doug Vaughn, Eugene Talley, Blake Linsay, Don Saunders, Brian Belter, Kevin Ash, Gary Lee, Bobby Lambert and John Patterson. Councillor Howard announced the death of Lula Journey's grandson and inquired as to the feasibility of a committee being set to insure flowers being sent to relatives of council members at these times of bereavement. President SerVaas expressed deep sympathy on behalf of all Council members and appointed Mr. Howard as chairman of a Benevolence Committee.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 504-510, 1976. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for Ordinances certified from the Metropolitan Plan Commission on November 4, 1976;" and the President referred them to the Committee of the Whole to be heard under Special Orders - Final Adoption.

PROPOSAL NO. 511, 1976. Introduced by Councilman Vollmer. 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. 512, 1976. Introduced by Councilman Rippel. 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. 513, 1976. Introduced by Councilman Vollmer. 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. 514, 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 Seventy-Eight dollars (\$1,078) in the Crime Control Fund for purposes of County Sheriff 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. 515, 1976. Introduced by Councillor 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 Four hundred seventy-one dollars (\$471) in the Crime Control Fund for purposes of the County Sheriff 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. 516, 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 thousand eight hundred twenty dollars (\$2,820) in the Crime Control Fund for purposes of the Prosecuting Attorney and reducing the unappropriated balance in the Crime Control Fund;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 517, 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 Ten thousand six dollars (\$10,006) in the Crime Control Fund for purposes of the Criminal Court, Division IV, 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. 518, 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) transferring and appropriating twenty thousand dollars (\$20,000) in the County Welfare Fund for purposes of the Marion County Department of Public Welfare and reducing certain other appropriations for that department;" and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 519, 1976. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance to amend the Code of Indianapolis and Marion County, Indiana, by adding a new Article to provide a Code of Ethics governing the employees of the Consolidated City of Indianapolis and Marion County, to provide for filing of financial disclosure statements by employees, and to establish a Board of Ethics to administer the provisions of the Code of Ethics," and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 520, 1979. Introduced by Councilwoman Journey. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting smoking in certain public places (amends Code Sec. 20-201 through 20-209);" and the President referred it to the Metropolitan Development Committee.

Mr. Kimbell moved, seconded by Mr. Tinder, the Rules of the Council of Proposal and Introduction of Ordinances be suspended and that Proposal Nos. 521 through 531 be introduced and assigned as follows:

The Motion carried by Voice Vote; Proposal Nos. 521 through 531 were introduced and assigned as follows:

PROPOSAL NO. 521, 1976. Introduced by Councillor Clark. 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 five hundred dollars (\$1,500) in the Barrett Law Fund for purposes of Finance Division, Department of Administration, and reducing the unappropriated and unencumbered balance in the Barrett Law Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 522, 1976. Introduced by Councilman Clark. 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 transferring and appropriating an additional Fifteen Thousand dollars (\$15,000) in the City General Fund for purposes of Records Division, Department of Administration, and reducing certain other appropriations for that Division," and the President referred it to the Administration Committee.

PROPOSAL NO. 523, 1976. Introduced by Councilman Clark. 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 transferring and appropriating an additional Five thousand Five Hundred Forty-three dollars and forty-eight cents (\$5,543.48) in the City General Fund for purposes of the Office of the Mayor and reducing certain other appropriations for that Office;" and the President referred it to the Administration Committee.

PROPOSAL NO. 524, 1976. Introduced by Councilman Clark. 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 transferring and appropriating an additional Twenty-three thousand two hundred sixty-seven dollars (\$23,267) in the Consolidated County Fund for purposes of the Legal Division, Department of Administration and reducing certain other appropriations for that division;" and the President referred it to the Administration Committee.

PROPOSAL NO. 525, 1976. Introduced by Councilman Miller. 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 transferring and appropriating an additional One hundred thirty-eight thousand one hundred dollars (\$138,100) in the Transportation Fund for purposes of the Department of Transportation and reducing certain other appropriations for that department;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 526, 1976. Introduced by Councillor Miller. 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 Hundred Seventy Thousand dollars (\$370,000) in the Commulative Bridge Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation fund;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 527, 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 transferring and appropriating an additional five thousand thirty-two dollars (\$5,032) in the Consolidated County Fund for purposes of the Division of Civil Defense, Department of Public Safety and reducing certain other appropriations for that division;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 528, 1976. Introduced by Councilor 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-one thousand eight hundred twenty-five dollars (\$51,825) in the Sanitary District Fund for purposes of Sanitary Division, Department of Public Works and reducing the unappropriated and unencumbered balance in the Sanitary District Fund;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 529, 1976. Introduced by Councillor 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) transferring and appropriating an additional Five thousand dollars (\$5,000) in the Consolidated County Fund for purposes of Air Pollution Control Division, Department of Public Works and reducing certain other appropriations for that division;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 530, 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 transferring and appropriating an additional One hundred Ninety-three thousand dollars (\$193,000) in the Sanitary District Fund for purposes of Sanitary District, Department of Public Works, and reducing certain other appropriations for that division;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 531, 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) transferring and appropriating an additional fifteen thousand dollars (\$15,000) in the Flood Control District Fund for purposes of the Flood Control Division, Department of Public Works, and reducing certain other appropriations for that Division;" and the President referred it to the Public Works Committee.

SPECIAL ORDERS – PUBLIC HEARING

President SerVaas called for any proposals to be heard under Special Orders - Public Hearing.

PROPOSAL NO. 463, 1976. The Council recessed to a Committee of the Whole at 8:12 p.m. and reconvened at 8:24 p.m. After public hearing and following discussion, Councilman West moved, seconded by Councilman Tinder to amend Proposal No. 463, 1976, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Proposal No. 463, 1976, be amended as follows:

- (a) In line 4 of Section 3, reduce the figure \$10,849.63 to \$769.22.
- (b) In the Title, Section 2, lines 1 and 2; Section 3, line 7 and Section 4, lines 5 and 6, strike the words and/or figures "Seventeen Thousand Four Hundred dollars and Fifty-five cents (\$17,404.55) and insert in lieu thereof respectively the words and/or figures "Seven Thousand three hundred twenty-four dollars and Fourteen Cents, (\$7,324.14)

Councillor

The motion carried by voice vote. Councillor West moved, seconded by Councillor Clark to postpone Proposal No. 463, 1976, As Amended, for further consideration until the meeting of Council to be held on December 6, 1979. The motion to postpone failed. Councilman West invited Sheriff Broderick and Mr. Don Connell, Co-director of Community Corrections to speak regarding the proposal. Following Mr. Connell's remarks wherein he stated the purposes, qualifications and achievements of Community Corrections, Councilman Bayt called previous question on the main motion, seconded by Councilman Campbell. President SerVaas ruled that when in public hearing, no Council vote can be taken on the main motion. Councilman West moved, seconded by Councilman Clark, to further amend Proposal No. 463, 1976, As Amended, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 463, 1976, be amended as follows:

Strike line 6 of Section 3, and in line 5 of Section 3, strike the figure \$5,554.92 and insert in lieu thereof the figure \$6,554.92.

Councillor

The motion carried by voice vote. Proposal No. 463, 1976, As Amended, passed on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gorham, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, and Mr. West;
 NO NOES;

Proposal No. 463, 1976, As Amended, was retitled FISCAL ORDINANCE NO. 123, 1976, and reads as follows;

CITY—COUNTY FISCAL ORDINANCE NO. 123, 1976

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Seven Thousand Three hundred twenty-four dollars and fourteen cents (\$7,324.14) in the County General Fund for purposes of the Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 6 of the City-County Annual Budget for 1976 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of a program for Community Corrections financed by a Lilly Endowment Grant.

SECTION 2. The sum of Seven Thousand Three hundred twenty-four dollars and fourteen cents (\$7,324.14) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

SHERIFF	COUNTY GENERAL FUND
10. Personnel	\$769.22
50. Equipment	<u>6,554.92</u>
TOTAL INCREASES	\$7,324.14

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

	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	<u>\$7,324.14</u>
TOTAL REDUCTIONS	\$7,324.14

SECTION 5. The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

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

Due to matters of pressing business, Councilman Gorham was excused and left the Council Chambers.

PROPOSAL NO. 452, 1976. Councilman Dowden explained that Proposal No. 452, 1976 had been tabled in the Community Affairs Committee on November 10, 1976. By consent, Proposal No. 452, 1976 was postponed in Council until the scheduled meeting of December 20, 1976.

SPECIAL ORDERS – FINAL ADOPTION

President SerVaas called for motion to be heard under Special Orders - Final Adoption.

PROPOSAL NO. 326, 1976. Councilman West stated that Proposal No. 326, 1976, had been withdrawn by the petitioner and moved, seconded by Councilman Tintera that the proposal be stricken. The motion carried by unanimous voice vote.

PROPOSAL NO. 465, 1976. Following discussion during which Councilman Clark spoke, Proposal No. 465, 1976, failed for want of a statutory majority on the following roll call vote; viz:

12 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Hawkins, Mr. Howard, Mrs. Journey, Miss Parker, Mr. Pearce, Mr. SerVaas, Mr. Walters

14 NOES: Mr. Anderson, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West

[Clerk's Note: Proposal No. 465, 1976, was reconsidered later in the meeting and passed.]

PROPOSAL NO. 500, 1976. Following discussion during which Councilman Tintera and Ashley Johnson, Vice President of Rock Island Refining Corporation, spoke, Mr. Johnson responded to all questions from Council members regarding Pollution Control Revenue Bonds and creativity of various jobs. By consent, Proposal No. 500, and 501, 1976, were voted on together. Proposal Nos. 500, and 501, 1976, were passed on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, and Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, and Mr. Bayt

Proposal Nos. 500, and 501, 1976, were retitled SPECIAL ORDINANCE NOS. 2 and 3 respectively, and read as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1976

A SPECIAL ORDINANCE of the City of Indianapolis authorizing the final terms of the financing of pollution control facilities, through the issuance and sale by the City of Indianapolis of its "7-¹/₄% Pollution Control Revenue Bonds, Series A (Rock Island Refining Corporation Project)" in the aggregate principal amount of One Million Five Hundred Thousand dollars (\$1,500,000) and the loaning of the proceeds thereof to Rock Island Refining Corporation and authorizing other matters relating thereto.

WHEREAS, on November 1, 1974, the Indianapolis Economic Development Commission adopted a resolution finding that the health, prosperity, economic stability and general welfare of the City of Indianapolis would be benefited by the City of Indianapolis entering into an agreement for the financing of the acquisition, construction, and installation of pollution control facilities of Rock Island Refining Corporation and recommended a form of inducement resolution to be adopted by the City-County Council with respect to such facilities; and

WHEREAS, such inducement resolution was adopted by the City-County Council on November 18, 1974, and approved by the Mayor of the City of Indianapolis on December 1, 1974; and

WHEREAS, in reliance upon such inducement resolution and pursuant to orders of the Indianapolis Air Pollution Control Board, Rock Island has proceeded with the construction and acquisition of certain pollution control facilities; and

WHEREAS, the Indianapolis Economic Development Commission adopted a Resolution on November 1, 1976, giving its final approval to the financing of certain pollution control facilities of Rock Island Refining Corporation, and finding that said financing of said pollution control facilities complies with the purposes and provisions of IC 18-6-4.5 and that said financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens, and further approved the final forms of the Loan Agreement and the Indenture of Trust (such documents being hereinafter referred to collectively as the "Financing Agreement" referred to in IC 18-6-4.5), which Resolution of the Indianapolis Economic Development Commission has been transmitted hereto; and

WHEREAS, the Report of the Indianapolis Economic Development Commission has heretofore been presented to the Department of Metropolitan Development and the Metropolitan Plan Commission and was commented on favorably; and

WHEREAS, the Indianapolis Economic Development Commission has heretofore approved and recommended the adoption of the proposed form of Ordinance by this City-County Council; now therefore:

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

SECTION 1. It is hereby found that the financing of the pollution control facilities referred to in the Loan Agreement relating thereto, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the proceeds thereof to Rock Island Refining Corporation for the acquisition and construction of such pollution control facilities and the repayment of said loan by Rock Island Refining Corporation to be evidenced and secured by a Series A Note of Rock Island Refining Corporation, complies with the purposes and provision of IC 18-6-4.5 and will be of benefit to the health and welfare of the City of Indianapolis and its citizens.

SECTION 2. The forms of the Loan Agreement and the Indenture of Trust approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in IC 18-6-4.5), shall be incorporated herein by reference and shall be inserted in the minutes of the City-County Council and kept on file by the City Clerk.

SECTION 3. The City of Indianapolis shall issue its 7 $\frac{1}{4}$ % Pollution Control Revenue Bonds, Series A (Rock Island Refining Corporation Project) (the "Series A Bonds"), in the aggregate principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the purpose of procuring funds to lend to Rock Island Refining Corporation for the cost of acquisition and construction of the pollution control facilities, as more particularly set out in the Indenture of Trust and the Loan Agreement incorporated herein by reference, which Series A Bonds will be payable as the principal, premium, if any, and interest solely from the payments made by Rock Island Refining Corporation on its Series A Note, in the aggregate principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) which Series A Note will be executed and delivered by Rock Island Refining Corporation to evidence and secure said loan and from other sources under the Loan Agreement, or as otherwise provided in the Indenture of Trust. The Series A Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Indianapolis.

SECTION 4. The City Controller is authorized and directed to sell the Series A Bonds at a rate of interest on the Series A Bonds not to exceed 7 $\frac{1}{4}$ % per annum and at a price of 100% of the principal amount thereof. In connection with the sale of the Series A Bonds the City Controller may consult with the Mayor, Corporation Counsel of the City of Indianapolis, and officers or representatives of Rock Island Refining Corporation.

SECTION 5. The Mayor, City Clerk, and the City Controller are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction, including the Series A Bonds authorized herein. The signatures of the Mayor and the City Clerk on the Series A Bonds may be facsimile signatures. The City Controller is authorized to arrange for the delivery of the Series A Bonds to the purchasers thereof against payment therefor, which payment shall be made to the Trustee named in the Indenture of Trust.

SECTION 6. The provisions of this Ordinance and the Indenture of Trust securing the Series A Bonds, shall constitute a contract binding between the City of Indianapolis and the holders of the Series A Bonds, and after the issuance of said Series A Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said Series A Bonds or the interest thereon remain unpaid.

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

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1976

A SPECIAL ORDINANCE of the City of Indianapolis authorizing the final terms of the financing of economic development facilities, through the issuance and sale by the City of Indianapolis of its "7 $\frac{1}{4}$ % Economic Development Revenue Bonds (Rock Island Refining Corporation Project)" in the aggregate principal amount of One Million Dollars (\$1,000,000) and the loaning of the proceeds thereof to Rock Island Refining Corporation and authorizing other matters relating thereto.

WHEREAS, on November 1, 1974, the Indianapolis Economic Development Commission adopted a resolution finding that the health, prosperity, economic stability and

general welfare of the City of Indianapolis would be benefited by the City of Indianapolis entering into an agreement for the financing of the acquisition, construction and installation of economic development facilities of Rock Island Refining Corporation and recommended a form of inducement resolution to be adopted by the City-County Council with respect to such facilities; and

WHEREAS, such inducement resolution was adopted by the City-County Council on November 18, 1974, and approved by the Mayor of the City of Indianapolis on December 2, 1974; and

WHEREAS, in reliance upon such inducement resolution, Rock Island proceeded with the construction and acquisition of certain economic development facilities; and

WHEREAS, the Indianapolis Economic Development Commission adopted a Resolution on November 1, 1976, giving its final approval to the financing of certain economic development facilities of Rock Island Refining Corporation, and finding that said financing of said economic development facilities complies with the purposes and provisions of IC 18-6-4.5 and that said financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens, and further approved the final forms of the Loan Agreement and Indenture of Trust (such documents being hereinafter referred to collectively as the "Financing Agreement" referred to in IC 18-6-4.5), which Resolution of the Indianapolis Economic Development Commission has been transmitted hereto; and

WHEREAS, the Report of the Indianapolis Economic Development Commission has heretofore been presented to the Department of Metropolitan Development and the Metropolitan Plan Commission and was commented on favorably; and

WHEREAS, the Indianapolis Economic Development Commission has heretofore approved and recommended the adoption of the proposed form of Ordinance by this City-County Council; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement relating thereto, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the proceeds thereof to Rock Island Refining Corporation for the acquisition and construction of such economic development facilities and the repayment of said loan by Rock Island Refining Corporation to be evidenced and secured by a Note of Rock Island Refining Corporation, complies with the purposes and provisions of IC 18-6-4.5 and will be of benefit to the health and welfare of the City of Indianapolis and its citizens.

SECTION 2. The forms of the Loan Agreement and the Indenture of Trust approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in IC 18-6-4.5), shall be incorporated herein by reference and shall be inserted in the minutes of the City-County Council and kept on file by the City Clerk.

SECTION 3. The City of Indianapolis shall issue its 7¼% Economic Development Revenue Bonds (Rock Island Refining Corporation Project) (the "Bonds") in the aggregate principal amount of One Million Dollars (\$1,000,000) for the purpose of procuring funds to lend to Rock Island Refining Corporation in order to reimburse Rock Island Refining Corporation for the cost of acquisition and construction of the economic development facilities, as more particularly set out in the Indenture of Trust and the Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Rock Island Refining Corporation on its Note, in the aggregate principal amount of One Million Dollars (\$1,000,000) which Note will be executed and delivered by Rock Island Refining Corporation to evidence and secure said Loan and from other sources under the Loan Agreement, or as otherwise provided in the Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Indianapolis.

SECTION 4. The City Controller is authorized and directed to sell the Bonds at a rate of interest on the Bonds not to exceed 7¼% per annum and at a price of 100% of the principal amount thereof. In connection with the sale of the Bonds, the City Controller may consult with the Mayor, Corporation Counsel of the City of Indianapolis, and officers or representatives of Rock Island Refining Corporation.

SECTION 5. The Mayor, City Clerk, and City Controller are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction, including the Bonds authorized herein. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Controller is authorized to arrange for the delivery of the Bonds to the purchasers thereof against payment therefor, which payment shall be made to the Trustee named in the Indenture of Trust.

SECTION 7. The provisions of this Ordinance and the Indenture of Trust securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holders of the Bonds, and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said Bonds or the interest thereon remain unpaid.

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

PROPOSAL NO. 465, 1976. Councilman West moved, seconded by Councilman Howard, that Proposal No. 465, 1976, be put upon the table for consideration. The motion carried by voice vote. Following discussion, Proposal No. 465, 1976, was adopted on the following roll call vote; viz:

17 AYES: *Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Miss Parker, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. Walters, Mr. West*

7 NOES: *Mr. Anderson, Mr. Dowden, Mr. Durnil, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. Tintera*

2 NOT VOTING: *Mr. Cantwell, Mrs. Coughenour*

Proposal No. 465, 1976, was retitled FISCAL ORDINANCE NO. 124, 1976, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 124, 1976

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 (City-County Fiscal Ordinance No. 91, 1975), transferring and appropriating Two Thousand Dollars (\$2,000) in the Consolidated County Fund for purposes of Human Rights Division, Department of Administration, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 5 of the City-County Annual Budget for 1976, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of purchasing typewriters.

SECTION 2. The sum of Two Thousand Dollars (\$2,000), 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 ADMINISTRATION
HUMAN RIGHTS DIVISION

CONSOLIDATED COUNTY FUND

50. Properties	<u>\$2,000</u>
TOTAL INCREASES	\$2,000

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

DEPARTMENT OF ADMINISTRATION
HUMAN RIGHTS DIVISION

CONSOLIDATED COUNTY FUND

10. Personal Services	<u>\$2,000</u>
TOTAL REDUCTIONS	\$2,000

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

PROPOSAL NO. 503, 1976. Councilman Clark moved, seconded by Councilman Hawkins, to amend as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 503, 1976, be amended as follows:

- (a) In Section 4, line 4, strike the figures \$16,500" and insert in lieu thereof, the figures "\$14,500"; and
- (b) Add in Section 4, "25. Current Obligations \$2,000".

s/Councilman Clark

The motion carried by unanimous voice vote. After discussion, Proposal No. 503, 1976, As Amended, was adopted on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

1 NOE: Mr. Cantwell

Proposal No. 503, 1976, As Amended, was retitled FISCAL ORDINANCE NO. 125, 1976, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 125, 1976

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 (City-County Fiscal Ordinance No. 91, 1975), transferring and appropriating Sixteen Thousand Five Hundred Dollars (\$16,500) in the Consolidated County Fund for purposes of the City-County Council and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 5 of the City-County Annual Budget for 1976, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of adjusting certain budget accounts to provide for increases resulting from staff re-organization.

SECTION 2. The sum of Sixteen Thousand Five Hundred Dollars (\$16,500), be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

CITY—COUNTY COUNCIL	CONSOLIDATED COUNTY FUND
21. Contractual Services	\$15,200
22. Supplies	1,000
50. Equipment	<u>400</u>
TOTAL INCREASES	\$16,500

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

CITY—COUNTY COUNCIL	CONSOLIDATED COUNTY FUND
24. Current Charges	\$14,500
25. Current Obligations	<u>2,000</u>
TOTAL REDUCTIONS	\$16,500

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

PROPOSAL NOS. 504-510, 1976. No action taken. Proposal Nos. 504-510, 1976, were retitled REZONING ORDINANCE NOS. 121-127, 1976, respectively, and read as follows:

**REZONING ORDINANCE NO. 121, 1976 76-Z-136 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24**

6233 SOUTH EAST STREET, INDIANAPOLIS

Rainbow Girls Foundation, by William F. LeMond, Attorney, 600 Union Federal Building, requests rezoning of Phase A, containing 13.70 acres, and Phase B, containing 10.33 acres (24.03 acres), being in A-2 and PK-1 districts, to C-S classification, to permit medical and dental offices, as per plans filed.

**REZONING ORDINANCE NO. 122, 1976 76-Z-139 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 20**

4806 WEST 34TH STREET, INDIANAPOLIS

Maywood Lake, Inc., by Thomas Michael Quinn, Jr., Attorney, 120 East Market Street, No. 715, requests rezoning of 3.07 acres, being in I-3-S district, to C-3 classification, to permit a bait and tackle shop.

**REZONING ORDINANCE NO. 123, 1976 76-Z-148 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

4806 WEST 34TH STREET, INDIANAPOLIS

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2021 City-County Building, requests rezoning of 0.88 acre, being in D-5 district, to C-3 classification, to correct mapping error.

**REZONING ORDINANCE NO. 124, 1976 76-Z-149 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

4500 SOUTH HARDING STREET, INDIANAPOLIS

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2021 City-County Building, requests rezoning of 1.20 acres, being in I-4-S district, to C-5 classification, to correct mapping error.

**REZONING ORDINANCE NO. 125, 1976 76-Z-150 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 2
725 WEST 73RD STREET, INDIANAPOLIS**

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2021 City-County Building, requests rezoning of 2.20 acres, being in SU district, to D-1 classification, to correct mapping error.

**REZONING ORDINANCE NO. 126, 1976 76-Z-152 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
3500-3600 WESTLANE ROAD, INDIANAPOLIS**

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2021 City-County Building, requests rezoning of 23.60 acres, being in D-3 district, to D-1 classification, to correct mapping error.

**REZONING ORDINANCE NO. 127, 1976 76-Z-153 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, 2021 City-County Building, requests rezoning of 36.61 acres, being in D-3 district, to D-1 classification, to correct mapping error.

ANNOUNCEMENTS AND ADJOURNMENT

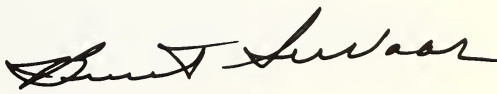
Councilman Schneider announced that the County and Townships Committee will meet on Tuesday, November 23, 1976, at 4:00 p.m. in Room 260. Councilman West announced that the Public Safety and Criminal Justice Committee will meet on Thursday, December 2, 1976, at 4:00 p.m. in Room 260.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:20 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 postponed regular meeting on the 15th day of November, 1976.

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)