

CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Tuesday, February 22, 1977

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:13 p.m., Tuesday, February 22, 1977, President SerVaas in the chair. Councilman Michael Vollmer 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. Gilmer, 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. Gorham and Mr. Patterson.

CALL FOR 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 **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on February 22, 1977, 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,

s/Beurt SerVaas, President
City-County Council

CORRECTION OF JOURNAL

President SerVaas called for additions or corrections to the Journal of February 7, 1977, 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:

February 8, 1977

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 RESOLUTION NO. 3, 1977 requesting the Clerk of the Council to publish a notice on behalf of the City and the County concerning the lease of a certain site to be used for parking purposes in connection with the City-County Building.

FISCAL ORDINANCE NO. 16, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$41,500 in the Consolidated County Fund for purposes of the Division of Buildings, Department of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

February 9, 1977

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
CITY—COUNTY COUNCIL 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 Star* on February 11, 1977, a NOTICE OF HEARING ON PROPOSED CITY—COUNTY BUILDING ADDITIONAL SITE LEASE BY AND BETWEEN INDIANAPOLIS—MARION COUNTY BUILDING AUTHORITY, CITY OF INDIANAPOLIS, AND THE COUNTY OF MARION on February 22, 1977, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

February 14, 1977

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 February 10, 1977, (printers corrected error on February 11, 1977) and regular printed notice on February 17, 1977, a *Notice to Taxpayers* on Proposal Nos. 38, 39 and 40, 1977, for a Public Hearing to be held on Tuesday, February 22, 1977, at 7:00 p.m., in the City-County Building and a *Notice of Public Hearing* on Zoning for Proposal No. 47, 1977, for a Public hearing to be held on Tuesday, February 22, 1977, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

The President called for any business that might be handled under Presentation of Petitions, Memorials, Special Resolutions and Council Resolutions.

Councilman Walters presented a petition to the Clerk with over a 1,000 signatures of petitioners concerned about the funding of the Southwest Multi-Service Center.

PROPOSAL NO. 67, 1977. Councilman Cantwell introduced, and the Clerk read the proposal recommending the restoration of the Indianapolis Water Company Canal to the Indianapolis Water Company. Mr. Boyd moved, seconded by Mr. Kimbell, to refer this proposal to the Public Works Committee.

PROPOSAL NO. 55, 1977. Councilman Walters introduced the proposal in support of House Bill 1313. Following discussion, Mr. Walters moved, seconded by Mr. Howard, to adopt Proposal No. 55, 1977. The motion carried on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

2 NOES: Mr. Kimbell and Mr. SerVaas.

2 NOT VOTING: Mrs. Brinkman and Mr. McPherson.

Proposal No. 55, 1977, was retitled COUNCIL RESOLUTION NO. 7, 1977, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 7, 1977

A Council Resolution in support of House Bill 1313.

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

SECTION 1. That it supports House Bill 1313 presently before the Indiana General Assembly which, in essence, provides for the Marion County-Indianapolis City-County Council to give prior approval to its airport authority district's general obligation and revenue bond issues, cumulative building fund establishment, and applications for federal government assistance; updates budget law to refer to review by the City-County Council, rather than by the former City Council and County Council which existed before the consolidation of the city and the county.

INTRODUCTION OF GUESTS

Councilman Bayt introduced 40 people from Mary Riggs Multi-Service Center and citizens from Concord Center.

Councilman Pearce introduced Burnetta Tanner and staff from the Center Township Trustee's Office.

Councilman Hawkins introduced Reverend Mosel Sanders and friends.

Councilman Howard introduced Mrs. Adams and Mrs. Smith from UNWA.

Councilman Walters introduced concerned citizens from Southwest Multi-Service Center.

Councilman Clark introduced Mr. Jack Reynolds, President, Warren Township Republican Club.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 54, 1977. Introduced and read by Councilman Tinder: "A Proposal for a Council Resolution establishing the date of regular meetings." By consent, Mr. Tinder moved, seconded by Mr. Campbell, to adopt Proposal No. 54, 1977. The motion carried by unanimous voice vote.

Proposal No. 54, 1977, was retitled COUNCIL RESOLUTION NO. 6, 1977, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 6, 1977

A Council Resolution establishing the date of regular meetings for 1977.

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

SECTION 1. Pursuant to Section 2-55 of the Code of Indianapolis and Marion County, Indiana, the following regular meetings of the City-County Council for the balance of 1977 are established, to wit:

March 14, 1977	March 28, 1977
April 11, 1977	April 25, 1977
May 9, 1977	May 23, 1977
June 6, 1977	June 20, 1977
July 18, 1977	
August 1, 1977	August 22, 1977
September 12, 1977	September 26, 1977
October 11, 1977	October 24, 1977
November 7, 1977	November 21, 1977
December 5, 1977	December 19, 1977

PROPOSAL NO. 56, 1977. Introduced by Councilman Tinder. The Clerk read the proposal entitled: "A Proposal for a General Ordinance regulating the selling of food or other products from motor vehicles situated upon the public streets and roadways, providing penalties, and fixing a time when the same shall take effect; corrects codification error by readopting General Ordinance No. 108, 1971, (Add Code Sections 29-400—29-407)"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 57, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 97, 1976, and approving changes in the established personnel and salaries for Center Township, Marion County, Indiana"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 58, 1977. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional \$13,205.22 in the County General Fund for purposes of the Marion County Jail and County Auditor 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. 59, 1977. Introduced by Councilman Gilmer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and transferring and appropriating \$350,000.00 in the Park District Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that department"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 60, 1977. Introduced by Councilman Clark. The Clerk read the proposal entitled: "A Proposal for a Council Resolution confirming Board and Commission appointments effective January 1, 1977"; and the President referred it to the Committee of the Whole.

PROPOSAL NOS. 61-65; 1977. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on February 17, 1977"; Councilman Durnil requested that Proposal No. 65, 1977, be heard in public hearing on March 14, 1977. Consent was given. The President referred Proposal Nos. 61-64, 1977, to the Committee of the Whole to be heard under Special Orders—Final Adoption.

[Clerk's Note: By consent, the Chair permitted the motion for passage of Proposal No. 47, 1977.]

PROPOSAL NO. 47, 1977. The Council recessed to a Committee of the Whole at 7:45 p.m. and reconvened at 7:46 p.m. Following discussion during which Mr. Durnil stated that after talking with Mr. Patterson, he had learned that there was no longer a need for a public hearing, a motion was made and seconded to adopt Proposal No. 47, 1977. The motion passed by unanimous voice vote.

Proposal No. 47, 1977, was retitled REZONING ORDINANCE NO. 25, 1977, and reads as follows:

**REZONING ORDINANCE NO. 25, 1977. 77-Z-2 PIKE TOWNSHIP,
COUNCILMANIC DISTRICT NO. 8
3821 MOLLER ROAD, INDIANAPOLIS**
Merchants National Bank & Trust Co. of Indianapolis, Trustee by Sidney D. Eskenazi, Attorney,
2220 North Meridian Street, requests rezoning of 0.23 acre, being in C-2 district, to C-4
classification to permit an access driveway.

MODIFICATIONS OF SPECIAL ORDERS

PROPOSAL NO. 69, 1977. The Chair gave consent to introduce Proposal No. 69, 1977. Introduced by Councilman Walters. The Clerk read the proposal entitled: "A Proposal for a General Resolution authorizing the Division of Community Services to expand funds to preserve the program continuity of the Southwest Multi-Service Center;" and the President deferred Proposal No. 69, 1977, until later.

Councilman Kimbell moved, seconded by Councilwoman Brinkman, to hear the following proposals in the following order under Modifications of Special Orders: Proposal Nos. 10, 11, 69, 21, 22, 38, and 68, 1977.

PROPOSAL NO. 66, 1977. The Chair consented to the introduction of Proposal No. 66, 1977. Mr. Schneider explained that Proposal No. 66, 1977, must be heard at the next County and Townships Committee meeting in order to be able to take advantage of a savings on purchases. Mr. Schneider read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating three hundred twelve thousand dollars (\$312,000.00) in the County General Fund for purposes of Central Data Processing and reducing certain other appropriations for that department"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 68, 1977. Mr. Tinder moved, seconded by Mr. Tintera, to place Proposal No. 68, 1977, on the agenda to be heard by the Committee of the Whole. Consent was given for the proposal to be heard later under Modifications of Special Orders.

PROPOSAL NOS. 14 and 27, 1977. Mr. West moved that Proposal Nos. 14 and 27, 1977, be postponed until the March 14, 1977, Council Meeting. Mr. Cantwell stated that there were people here to speak about it. The Chair sustained Councilman Cantwell.

PROPOSAL NO. 10, 1977. Following discussion, Mrs. Brinkman moved, seconded by Mr. Tintera, to amend Proposal No. 10, 1977, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 10, 1977, be amended as follows:
In line 6 of Section 1, strike the figures "\$591,600.00" and insert in lieu thereof "\$314,882.80."

s/Joyce Brinkman

The motion passed on the following roll call vote; viz:

16 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West.

8 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. McPherson, Mr. Rippel, Mr. Schneider and Mr. SerVaas.

3 NOT VOTING: Mr. Bayt, Mr. Miller and Mr. Walters.

Following further discussion as to whether \$314,882.80 was too high. Mr. Clark moved, seconded by Mr. Miller, to amend Mrs. Brinkman's amendment as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 10, 1977, Brinkman Amendment, be amended as follows:
In line 6 of Section 1, strike the figures "\$314,882.80" and insert in lieu thereof, "\$225,657.00."

s/Richard Clark

The motion failed on the following roll call vote; viz:

13 AYES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder and Mr. Vollmer.

14 NOES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. Tintera, Mr. Walters and Mr. West.

After further discussion, the motion was made and seconded to adopt Proposal No. 10, 1977, As Amended. The motion passed on the following roll call vote; viz:

15 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

12 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. SerVaas, and Mr. Tinder.

Proposal No. 10, 1977, As Amended, was retitled GENERAL RESOLUTION NO. 6, 1977, as reads as follows:

CITY—COUNTY GENERAL RESOLUTION NO. 6, 1977

A GENERAL RESOLUTION authorizing allocation and expenditures of Housing and Community Development Act of 1974 grants for calendar year 1977.

WHEREAS, the Council, in anticipation of a Federal Grant under Title I of the Housing and Community Development Act of 1974, included in the City-County Annual Budget for 1977 appropriations for various Community Development activities; and

WHEREAS, in the interest of obtaining said amount, the Council has authorized the Mayor to submit an application to the Department of Housing and Urban Development; 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, in anticipation of the receipt of said Grant, hereby approves and authorizes the appropriate Departments and Agencies to expend appropriations in accordance with the following schedule and for an amount not to exceed the indicated allocation:

Activity	Allocation	Period of Authorization
Multi-Service Centers	\$314,882.80	March 1, 1977—Dec. 31, 1977

SECTION 2. Expenditures authorized in Section 1 of this Resolution which are incurred between March 1, 1977 and December 31, 1977, will be funded from revenues received pursuant to the 1977 Community Development Block Grant Application and from the balances available of the 1975 and 1976 Community Development Block Grants, where applicable.

SECTION 3. The authorization contained in Section 1 of this Resolution shall be subject to all necessary favorable approval of the Grant Application and receipt of the funds thereunder.

PROPOSAL NO. 11, 1977. Following discussion, Mr. Dowden moved, seconded by Mr. Boyd, to amend Proposal No. 11, 1977, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 11, 1977, be amended as follows:

In line 6 of Section 1, strike the figures "\$428,400.00" and insert in lieu thereof "\$558,284.00."

s/W. A. Dowden

The motion passed on the following roll call vote; viz:

15 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

12 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. SerVaas, and Mr. Tinder.

Following further discussion, Mr. Clark moved, seconded by Mr. Anderson, to amend Proposal No. 11, 1977, As Amended, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-Coutny Council Proposal No. 11, 1977, As Amended, be amended as follows:

In line 6 of Section 1, strike the figure "\$558,284.00" and insert in lieu thereof "\$325,235.00."

s/Richard Clark

The motion failed on the following roll call vote; viz:

11 AYES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. Vollmer and Mr. West.

16 NOES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. Walters.

Discussion continued with Mr. Robert Cross, Acting Director of Community Services, answering questions from the Council. Mr. John Bohner, Acting Director of the Near Eastside Multi-Service Center, also answered questions as to the rental of the NESCO building from a member of the NESCO board of directors. Mr. Fred Armstrong, City Controller, stated that \$15,900,000 had been appropriated for Multi-Service Centers and \$11,943,000 would be received from CDA funds. After discussion, the Chair called for the vote on Proposal No. 11, 1977, As Amended. The proposal passed on the following roll call vot; viz:

16 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

10 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider and Mr. SerVaas.

1 NOT VOTING: Mr. Tinder.

Proposal No. 11, 1977, As Amended, was retitled GENERAL RESOLUTION NO. 7, 1977, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 7, 1977

A GENERAL RESOLUTION authorizing allocation and expenditures of Housing and Community Development Act of 1974 grants for calendar year 1977.

WHEREAS, the Council, in anticipation of a Federal Grant under Title I of the Housing and Community Development Act of 1974, included in the City-County Annual Budget for 1977 appropriations for various Community Development activities; and

WHEREAS, in the interest of obtaining said amount, the Council has authorized the Mayor to submit an application to the Department of Housing and Urban Development; 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, in anticipation of the receipt of said Grant, hereby approves and authorizes the appropriate Departments and Agencies to expand appropriations in accordance with the following schedule and for an amount not to exceed the indicated allocation:

Activity	Allocation	Period of Authorization
Multi-Service Centers	\$558,284	Mar. 1, 1977-Dec. 31, 1977

SECTION 2. Expenditures authorized in Section 1 of this Resolution which are incurred between March 1, 1977 and December 31, 1977, will be funded from revenues received pursuant to the 1977 Community Development Block Grant Application and from the balances available of the 1975 and 1976 Community Development Block Grants, where applicable.

SECTION 3. The authorization contained in Section 1 of this Resolution shall be subject to all necessary favorable approval of the Grant Application and receipt of funds thereunder.

[Clerk's Note: The Chair called for a recess at 9:14 p.m., and the Council reconvened at 9:39 p.m.]

PROPOSAL NO. 21, 1977. Following discussion, Mr. Schneider moved, seconded by Mr. Tintera, to amend Proposal No. 21, 1977, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to strike Proposal No. 21, 1977, as introduced and substitute therefor, the draft entitled:

Proposal No. 21, 1977, Committee Recommendations.

s/W. A. Schneider

The motion passed on unanimous voice vote.

After further discussion, Mr. Schneider moved, seconded by Mr. Tintera, to adopt Proposal No. 21, 1977, As Amended. The motion passed on the following roll call vote; viz:

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

3 NOES: Mr. Durnil, Mr. Gilmer, and Mr. Miller.

1 NOT VOTING: Mrs. Journey.

Proposal No. 21, 1977, As Amended, was retitled General Ordinance No. 13, 1977, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 1977

A GENERAL ORDINANCE amending City-County General Ordinance No. 97, 1976, and approving changes in the established personnel and salaries for Center Township, Marion County, Indiana.

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

SECTION 1. Section 2 of the City-County General Ordinance No. 97, 1976, be and the same is, hereby amended as follows by striking the cross-hatched portions and inserting the underlined portions, to wit:

SECTION 2. Center Township. The maximum salaries of the elected and appointed officers and employees of Center Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1977, and ending December 31, 1977, are fixed as follows:

NUMBER		POSITION	RATE OF COMPENSATION		TOTAL	
Orig.	Amd.		Original	Amended	Original	Amended
1	1	Township Trustee	\$14,500	\$14,500	\$ 14,500	\$ 14,500
1	1	Township Clerk	11,272	11,836	11,272	11,836
3	3	Mbrs. Of Advisory Bd.	600	600	1,800	1,800
4	4	Clerk for Sm. Claims Ct.	6,420	7,062	25,680	28,248
1	1	Jdg. for Sm. Claims Ct.	12,000	12,000	12,000	12,000
0	0	Attorney	-0-	-0-	-0-	-0-
0	0	Attorney	-0-	-0-	-0-	-0-
POOR RELIEF PERSONNEL						
1	1	Chief Supervisor	9,203	10,123	9,203	10,123
2	3	Supvr. of Investigators	7,791	8,570	15,582	25,710
1	2	Supvr. of Assistants	7,791	8,570	7,791	17,140
3	2	Assistant Supervisors	6,773	7,450	20,319	14,900
16	16	Investigators, Class III	6,143	6,757	98,288	108,112
8	4	Investigators, Class II	5,851	6,436	46,808	25,744
5	2	Investigators, Class I	5,571	6,128	27,855	12,256
0	3	Executive Secretaries	-0-	7,100	-0-	21,300
1	1	Bookkeeping Supervisor	5,571	7,450	5,571	7,450
2	1	Bookkeepers	5,571	6,128	11,142	6,128
3	3	Sr. Account Clerks	5,571	6,128	16,713	18,384
1	0	Payroll Clerk	5,571	-0-	5,571	-0-
1	1	Payroll Bookkeeper	5,571	6,128	5,571	6,128
2	2	Accountant Clerk	5,571	6,128	11,142	12,256
3	2	Bkpping. Machine Opr	5,368	5,905	16,104	11,810
1	0	Bookkeeping Operator	5,208	-0-	5,208	-0-
6	6	Senior Stenographers	5,307	5,837	31,842	35,022
11	11	Techn. Clerk-Typist	5,851	6,436	64,361	70,796
19	5	Clerk-Typists	4,892	5,381	92,948	26,905
1	1	Stock	4,892	5,381	4,892	5,381
6	6	Receptionists	4,892	5,381	29,352	32,286
0	6	Record File Clerks	-0-	5,381	-0-	32,286
6	10	Clerks	4,892	5,381	29,352	53,810
0	1	Staff Consultant	-0-	11,000	-0-	11,000
0	1	Assist. Staff Consultant	-0-	8,400	-0-	8,400
0	1	Mental Health II	-0-	8,500	-0-	8,500
0	1	Mental Health I	-0-	7,350	-0-	7,350
1	1	Personnel Officer	5,571	6,128	5,571	6,128
0	0	Messenger	-0-	-0-	-0-	-0-
0	0	Elevator Operator	-0-	-0-	-0-	-0-
1	1	Bookkeeper, Revenue Sharing	7,678	8,446	7,678	8,446
1	1	Sr. Clerk-Typists, Rev. Sharing	6,757	7,432	6,757	7,432
0	2	Special Investigators	-0-	7,500	-0-	15,000
10	15	Senior Clerks	5,113	5,624	51,130	84,360
122	122	TOTAL			\$692,003	\$778,927

SECTION 3. This ordinance shall be in full force and effect from and after adoption and approval by the Mayor.

PROPOSAL NO. 69, 1977. Following discussion, Mr. Walters moved, seconded by Mr. Howard, to adopt Proposal No. 69, 1977. The motion carried on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

1 NO: Mr. McPherson.

4 NOT VOTING: Mr. Dowden, Mr. Miller, Mr. Rippel and Mr. Schneider.

Proposal No. 69, 1977, was retitled GENERAL RESOLUTION NO. 8, 1977, and reads as follows:

CITY—COUNTY GENERAL RESOLUTION NO. 8, 1977

A GENERAL RESOLUTION extending Southwest Multi-Service Center financing through April 30, 1977.

WHEREAS, the City of Indianapolis is currently seeking reversal of a previous Department of Housing and Urban Development finding concerning the eligibility of a portion of its 1977 Community Development Block Grant Program to wit, the Southwest Multi-Service Center; and,

WHEREAS, the current funding authorization of this activity expires on February 28, 1977; now, therefore:

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

SECTION 1. In order to preserve program continuity during the period required for the above appeal, the Division of Community Services is hereby authorized to expend funds according to the following schedule:

Southwest Multi-Service Center March 1—April 30, 1977 \$15,342.00

PROPOSAL NO. 38, 1977. Following discussion, Mr. West moved, seconded by Mr. Tinder to amend Proposal No. 38, 1977, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 38, 1977, be amended as follows:

Renumber Section 5 and 6 as Sections 6 and 7 respectively and add a new section 5 as follows:

SECTION 5. The annual budget is not reduced to reflect the savings projected from adoption of this ordinance so the Prosecutor may use some of those appropriations to cover extra costs, but the Prosecutor shall not take advantage of the duplication of appropriations to expand his staff, but will underspend his budget by the appropriate amounts.

s/Stephen R. West

The motion passed by unanimous voice vote.

The Council recessed to a Committee of the Whole at 10:16 p.m. during which time Prosecutor Kelley stated that 25% of the funds received from the Runaway Pappy program would be returned to the County. The Council reconvened at 10:20 p.m. Following further discussion, Mr. West moved, seconded by Mr. Tinder, to adopt Proposal No. 38, 1977, As Amended. The motion 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. Gilmer, 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. 38, 1977, As Amended, was retitled FISCAL ORDINANCE NO. 18, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 18, 1977

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 (City—County Fiscal Ordinance No. 83, 1976) and appropriating and additional one hundred seventeen thousand six hundred sixty-three dollars ten cents (\$117,663.10) in the County General Fund for purposes of the Prosecuting Attorney 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 7 of the City—County Annual Budget for 1977, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Prosecuting Attorney's participation in the Welfare Department Title IV-D Program financed by Welfare reimbursement.

SECTION 2. The sum of one hundred seventeen thousand six hundred sixty-three dollars ten cents (\$117,663.10) 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:

PROSECUTOR	COUNTY GENERAL FUND
10. Services Personal	\$ 85,701.20
21. Services Contractual	11,000.00
22. Supplies	4,000.00
24. Current Charges	4,644.00
50. Properties	4,204.00
COUNTY AUDITOR	
24. Current Charges	3,100.38
25. Current Obligations	<u>5,013.52</u>
TOTAL INCREASES	\$ 117,663.10

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

Unappropriated and Unencumbered County General Fund	COUNTY GENERAL FUND
	\$ 117,663.10
TOTAL REDUCTIONS	\$ 117,663.10

SECTION 5. The annual budget is not reduced to reflect the savings projected from adoption of this ordinance so the Prosecutor may use some of those appropriations to cover extra costs, but the Prosecutor shall not take advantage of the duplication of appropriations to expand his staff, but will underspend his budget by the appropriate amounts.

SECTION 6. 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 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 22, 1977. Mr. Schneider moved, seconded by Mr. Howard to amend Proposal No. 22, 1977, by striking Proposal No. 22, 1977, and inserting in lieu thereof, Proposal No. 22, 1977, Committee Recommendations. The motion passed by unanimous voice vote.

Mr. Tintera moved, seconded by Mr. Miller, to strike Proposal No. 22, 1977, As Amended, in order to have more time to discuss it. The motion failed on the following roll call vote; viz:

7 AYES: Mrs. Brinkman, Mr. Kimbell, Mr. Miller, Mr. SerVaas, Mr. Tinder, Mr. Tintera, and Mr. West.

20 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. Vollmer and Mr. Walters.

Mrs. Brinkman moved, seconded by Miss Parker, to send Proposal No. 22, 1977, As Amended, back to committee. The motion failed on the following roll call vote; viz:

9 AYES: Mrs. Brinkman, Mr. Kimbell, Mr. Miller, Miss Parker, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.

17 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Pearce, Mr. Schneider, Mr. Vollmer and Mr. Walters.

1 NOT VOTING: Mr. Campbell.

The Council recessed to a Committee of the Whole at 10:24 p.m. during which time County Clerk, Thomas P. O'Brien stated the necessity of the funds appropriated in this proposal because of the increased workload. He said 75% of the appropriations would be reimbursed by the state. The Council reconvened at 10:25 p.m. After public hearing the Chair called for the vote on Proposal No. 22, 1977, As Amended, the proposal was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

3 NOES: Mrs. Brinkman, Mr. Miller and Mr. Tintera.

1 NOT VOTING: Mr. Campbell.

Proposal No. 22, 1977, As Amended, was retitled FISCAL ORDINANCE NO. 17, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional twenty-three thousand four hundred nine dollars (\$23,409.00) in the County General Fund for purposes of the County Clerk and County Auditor 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 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of additional expenditures for implementation of the Title IV-D program to be financed from Welfare reimbursements.

SECTION 2. The sum of twenty-three thousand four hundred nine dollars (\$23,409.00) 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:

COUNTY CLERK	COUNTY GENERAL FUND
10. Services Personal	\$ 21,813.00
COUNTY AUDITOR	
24. Current Charges	320.00
25. Current Obligations	<u>1,276.00</u>
TOTAL INCREASES	\$ 23,409.00

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

Unappropriated and Unencumbered	COUNTY GENERAL FUND
County General Fund	\$ 23,409.00
TOTAL REDUCTIONS	\$ 23,409.00

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.

PROPOSAL NO. 68, 1977. Mr. Tinder explained that a new Site Lease concerning the lot across Washington Street from the City-County Building had been prepared by City Legal. This proposal approves that lease. Prior to public hearing the President read the following:

This is a public hearing on behalf of the City of Indianapolis and a public hearing on behalf of Marion County, such hearings being held concurrently, in accordance with public notices published in the Indianapolis Star on February 11, 1977, pursuant to statute. Such hearings concern a proposed lease entitled "City-County Building Additional Site Lease" by and between the Indianapolis-Marion County Building Authority, as Lessor, and the City of Indianapolis and Marion County, as Lessees. Copies of such proposed Lease are before the Council and are available for inspection.

The lease concerns a one-half block of land south of East Washington Street between the City-County Building and the Marion County Jail. The City and County propose to lease such one-half block as described in the Lease from the Authority for the parking of automobiles. A plan showing the proposed parking is available for inspection.

All persons interested have a right to be heard at this time upon the necessity for the execution of such Lease and whether the basis for the determination of the lease rental is fair and reasonable. These hearings may be adjourned to a later date and the place and date of any adjourned hearings will be fixed prior to adjournment.

These hearings are now open.

The Council recessed to a Committee of the Whole at 10:34 p.m. and reconvened 10:35 p.m. Following public hearing the President read the following statement:

All interested parties have now had an opportunity to be heard at these hearings concerning the proposed City-County Building Additional Site Lease now before this Council. I therefore declare the hearings on behalf of the City of Indianapolis and Marion County, Indiana, closed.

Following discussion the Chair called for the vote on Proposal No. 68, 1977. Proposal No. 68, 1977, was adopted on the following roll call vote; viz:

19 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coufhenour, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.
3 NOES: Mr. Dowden, Mr. Miller and Mr. Rippel.
5 NOT VOTING: Mr. Cantwell, Mr. Hawkins, Mrs. Journey, Mr. McPherson and Mr. Schneider.

Proposal No. 68, 1977, was retitled GENERAL RESOLUTION NO. 4, 1977, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 1977

A GENERAL RESOLUTION approving a lease of a certain site to be used for parking purposes by the City and the County in connection with the City-County Building.

WHEREAS, the Indianapolis-Marion County Building Authority has been created under and pursuant to the provisions of Chapter 54, of the Act of the Indiana General Assembly for the year 1953, as amended (Indiana Code, Section 19-8-4-1 et seq.), operating, and leasing to governmental units within the territorial boundaries of Marion County, lands or buildings for public or governmental purposes; and

WHEREAS, the City of Indianapolis and Marion County desire to have the Authority to undertake the purchase of certain real estate south of the City-County Building for lease to the City and County as evidenced by the General Resolution No. 4, 1975, adopted by this Council on April 14, 1975; and

WHEREAS, the City and the County have negotiated a proposed lease of such site with the Authority, which lease has been the subject of public hearings by the City and County on February 22, 1977, in accordance with Indiana Code, Section 19-8-4-12; and

WHEREAS, there is before this Council a copy of the proposed lease as negotiated with the Authority and submitted to public hearings, being entitled "City-County Building Additional Site Lease"; now, therefore:

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

SECTION 1. The City-County Council hereby finds and determines that the execution of the proposed City-County Building Additional Site Lease at an annual fixed rental not in excess of \$156,849.00, to be allocated between the City and the County as therein provided, a copy of which lease is attached to this Resolution, marked "Exhibit A", and made a part hereof, is necessary to provide proper facilities to the City of Indianapolis and Marion County, and that the basis for the determination of the lease rental is fair and reasonable.

SECTION 2. The Mayor of the City of Indianapolis for and on behalf of the City and of Marion County is hereby authorized to execute said City-County Building Additional Site Lease with the Indianapolis-Marion County Building Authority, and the Clerk of the City-County Council is hereby authorized to affix the seals of the City and County to said Lease and to attest the same.

SECTION 3. The Clerk of the City-County Council is hereby authorized and directed to publish notices of the execution of said City-County Building Additional Site Lease as provided by statute following execution as aforesaid.

SECTION 4. This Resolution shall be effective upon adoption and signing by the Mayor.

PROPOSAL NO. 39, 1977. The Council recessed to a Committee of the Whole at 10:41 p.m. and reconvened at 10:42 p.m. Following public hearing and discussion, Mr. West moved, seconded by Mr. Boyd, to adopt Proposal No. 39, 1977. The motion carried on the following roll call vote; viz:

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

NO NOES.

NOT VOTING: Mr. Schneider and Mr. Walters.

Proposal No. 39, 1977, was retitled FISCAL ORDINANCE NO. 19, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional ten thousand four hundred eighty-five dollars (\$10,485.00) in the Crime Control Fund for purposes of the Juvenile Court 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 8 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of central dictation equipment for the Juvenile Court financed by L.E.A.A. Grant No. 75C-G01-15-058.

SECTION 2. The sum of ten thousand four hundred eighty-five dollars (\$10,485.00) 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 COURT	CRIME CONTROL FUND
34. Equipment	\$ 10,485.00
TOTAL INCREASES	\$ 10,485.00

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

Unappropriated and Unencumbered Crime Control Fund	CRIME CONTROL FUND
	\$ 10,485.00
TOTAL REDUCTIONS	\$ 10,485.00

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

Proposal No. 40, 1977. The Council recessed to a Committee of the Whole at 10:43 p.m. and reconvened at 10:44 p.m. Following public hearing and discussion, Mr. West moved, seconded by Mr. McPherson, to adopt Proposal No. 40, 1977. The motion passed on the following roll call vote; viz:

16 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Miss Parker, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. Vollmer.

5 NOES: Mr. Anderson, Mrs. Coughenour, Mr. Dowden, Mr. Miller, and Mr. Rippel.

6 NOT VOTING: Mr. Clark, Mr. Gilmer, Mr. Pearce, Mr. Schneider, Mr. Walters and Mr. West.

Proposal No. 40, 1977, was retitled FISCAL ORDINANCE NO. 20, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional one thousand twenty dollars (\$1,020.00) in the Crime Control Fund for purposes of the Juvenile Court 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 8 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Fourth National Conference on Juvenile Justice program financed by L.E.A.A. Grant No. 76C-G04-15-074.

SECTION 2. The sum of one thousand twenty dollars (\$1,020.00) 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 COURT		CRIME CONTROL FUND
33.	Travel	\$ 700.00
35.	Operating Expenses	<u>320.00</u>
TOTAL INCREASES		\$ 1,020.00

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

Unappropriated and Unencumbered		CRIME CONTROL FUND
Crime Control Fund		\$ 1,020.00
TOTAL REDUCTIONS		\$ 1,020.00

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

President SerVaas called for any proposals to be heard under Special Orders-Unfinished Business.

PROPOSAL NO. 519, 1977. Mr. Kimbell moved, seconded by Mr. Tinder, to take Proposal No. 519, 1977, from the table. The Chair gave consent.

Mr. Tinder moved, seconded by Mr. Tintera, to substitute Proposal No. 519, 1976, Committee Recommendations, for Proposal No. 519, 1976. The motion passed by unanimous voice.

Mr. Dowden moved, seconded by Mr. Clark to amend Proposal No. 519, 1976, Committee Recommendations, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 519, 1976, Committee Recommendations, be amended as follows:

(1) In Section 1, line 76, strike the word "incompatible" and insert in lieu thereof, the word "which interfere with".

(2) In Section 1, line 129, strike the word "prescribe" and insert in lieu thereof, the word "require".

(3) In Section 1, line 130, strike the words "but not limited to".

(4) In Section 1, line 156, strike the word "prescribe" and insert in lieu thereof, the word "require".

(5) In Section 1, line 184, strike the word "include" and insert in lieu thereof, the word "be limited to".

s/W. A. Dowden

The motion carried by unanimous voice vote.

Mr. Dowden then moved, seconded by Mr. Clark, to amend Proposal No. 519, 1976, As Amended, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I moved that City-County Council Proposal No. 519, 1976, As Amended, be amended as follows:

In Section 1, line 162, strike "and amount".

In Section 1, line 172, strike "amount and".

s/W. A. Dowden

The motion failed on the following roll call vote; viz:

7 AYES: Mr. Anderson, Mr. Clark, Mr. Dowden, Mr. McPherson, Mr. Schneider, Mr. SerVaas and Mr. Walters.

19 NOES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

1 NOT VOTING: Mrs. Coughenour.

Mr. Tintera moved, seconded by Mr. Durnil, to amend Proposal No. 519, 1976, As Amended, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 519, 1976, As Amended, be amended as follows:

In Section 1, line 103, after the word "serve" insert the following: "at the pleasure of the Mayor if appointed by the Mayor or the Council if appointed by the Council and".

s/George Tintera

The motion carried by voice vote.

Mr. Rippel moved, seconded by Mr. West, to amend Proposal No. 519, 1976, As Amended, as follows:

CITY-COUNTY COUNCIL MOTION

Mr President:

I move that City-County Council Proposal No. 519, 1976, As Amended, be amended as follows:

In Section 1, lines 44 and 45, strike the words "the prosecuting attorney of Marion County," and in line 45 of Section 1 after the word "persons" insert "except the prosecuting attorney."

s/Richard Rippel

The motion carried on the following roll call vote; viz:

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

11 NOES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Pearce, Mr. Vollmer and Mr. Walters.

Mr. Boyd moved, seconded by Mr. Campbell, to amend Proposal No. 519, 1976, As Amended as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 519, 1976, As Amended, as follows:

On page 4, Sec. 23-39, subsection b (Appointment of members and chairman) line 94, after the word "party" insert "One of the Council's appointments will be made by members of the majority party and one of the Council's appointments will be made by members of the minority party".

s/Rozelle Boyd

The motion failed on the following roll call vote; viz:

12 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Miss Parker, Mr. Pearce, Mr. Tinder, Mr. Vollmer and Mr. Walters.

15 NOES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West.

Mr. Dowden moved, seconded by Mr. Clark, to amend Proposal No. 519, 1976, As Amended, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 519, 1976, As Amended, be amended as follows:

Add the following to the appropriate section and line: "If the guilty party cannot be found, then the whole board must be vacated."

s/W. A. Dowden

The motion failed on the following roll call vote; viz:

9 AYES: Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Miller, Mr. Rippel and Mr. Schneider.

17 NOES: Mr. Anderson, Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Miss Parker, Mr. Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West and Mr. Boyd.

1 NOT VOTING: Mr. SerVaas.

Mr. Miller moved, seconded by Mr. Tintera, to amend Proposal No. 519, 1976, As Amended, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 519, 1976, As Amended, be amended as follows:

In Section 1, at the end of line 46, add the following sentence: "all persons excluded hereby from application of this Article are invited to comply with the financial disclosure requirements of this Article voluntarily."

s/Donald W. Miller

The motion carried by voice vote.

Mrs. Brinkman moved, seconded by Mr. Tintera, to amend Proposal No. 519, 1976, As Amended, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 519, 1976, As Amended, be amended as follows:

(1) In Section 1, line 211, strike the words "violation of this Article" and insert in lieu thereof, the words "unlawful and a misdemeanor"; and

(2) In Section 1, line 212 strike the words "this Article" and insert in lieu thereof, the words "by Sec. 1-8 of this code."

s/Joyce Brinkman

The motion carried by voice vote.

Following further discussion, the Chair called for the vote on Proposal No. 519, 1976, As Amended. Proposal No. 519, 1976, As Amended, was adopted on the following roll call vote; viz:

16 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

11 NOES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Coughenour, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Schneider and Mr. Walters.

Proposal No. 519, 1976, As Amended, was retitled GENERAL ORDINANCE NO. 9, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 9, 1977

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.

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

SECTION 1. Chapter 23 of the Code of Indianapolis and Marion County, Indiana is amended by adding a new Article to be numbered III to read as follows:

ARTICLE III. CODE OF ETHICS

Sec. 23-35. Purpose and Intent.

A public office is a public trust. Holders of public office should maintain a high standard of conduct and moral character, and any attempt to realize personal financial gain from the use of a public office is a violation of public trust. Public confidence in government can best be upheld by honest and impartial officials. To this end, the provisions of this Article shall be liberally construed to effectuate its purpose and intent.

Sec. 23-36. Definitions.

As used in this Article and unless the context clearly indicates otherwise:

(a) "Employee" means any person receiving compensation for services performed for the City of Indianapolis or Marion County except those who perform services pursuant to a contract awarded with public competition.

(b) "Business entity" means a proprietorship, partnership, unincorporated association, trust, firm or corporation, operated for profit.

(c) "Doing business" means engaging in an activity for profit or gain.

(d) "Material interest" means ownership of five percent or more of a business entity.

(e) "Confidential information" means information which has not been, or will not be, communicated to the general public in the regular course of business.

(f) "Compensation" means any money, thing of value, service or economic benefit conferred upon or received by any person in return for services rendered or for services to be rendered.

(g) "Fair market value" means the price that is paid by a willing buyer to a willing seller in a good faith transaction which neither party is compelled to enter.

(h) "Immediate family" means a spouse or minor child.

(i) "Mayor" means the mayor of the City of Indianapolis.

(j) The masculine gender, when used in this Article, includes the feminine.

(k) The singular form of any noun, when used in this Article, includes the plural whenever appropriate.

Sec. 23-37. Application of Article.

This Article applies to all employees of the City of Indianapolis or Marion County except the judges of the circuit court, superior court, probate court, and juvenile and criminal courts, and all other persons except the prosecuting attorney, subject to the provisions of IC 33-2.1-8. All persons excluded hereby from application of this Article are invited to comply with the financial disclosure requirements of this Article voluntarily.

Sec. 23-38. Prohibited Activities.

(a) No employee or member of an employee's immediate family shall own a material interest in any business entity doing business with the City of Indianapolis or Marion County unless the business is performed pursuant to a contract awarded with public competition to the lowest and best bidder.

(b) No employee shall solicit or accept compensation, other than his salary or contractual compensation, for the performance of his official duties.

(c) No employee shall solicit or accept a gift from any person or business entity doing business with, or seeking to do business with, the City of Indianapolis or Marion County, under circumstances from which it could reasonably be inferred that the gift was intended to influence the employee in the performance of his duties or as a reward for his official action.

(d) No employee or member of an employee's immediate family shall receive compensation in excess of fair market value for the sale or lease of property to the City of Indianapolis or Marion County.

(e) No employee shall use confidential information derived by virtue of his employment for his private gain or advantage.

(f) No employee shall disclose confidential information derived by virtue of his employment to any person to whom he would not regularly communicate the information in the performance of his official duties.

(g) No employee shall use or attempt to use his official position or perform his official duties to secure privileges, benefits, or exemptions for himself.

(h) No employee shall use equipment, supplies, or facilities of the City of Indianapolis or Marion County for private gain or advantage.

(i) No employee shall engage in or accept private employment or perform services which interfere with the proper discharge of his official duties.

(j) No employee shall seek to circumvent the provisions of this Article by seeking benefits for members of his immediate family by engaging in activities prohibited by this section.

Sec. 23-39. Board of Ethics.

(a) Creation and composition of board.

There is hereby created and established a board of ethics consisting of five (5) members who are not employees of the City of Indianapolis or Marion County and who are not declared candidates for elected public office. The corporation counsel of the City of Indianapolis shall serve as the nonvoting ex-officio secretary of the board.

(b) Appointment of members and chairman.

Within thirty (30) days after the adoption of this ordinance, members of the board shall be appointed as follows: The mayor shall appoint two (2) members and a chairman, no more than two (2) of which shall be affiliated with the same political party. The city-county council shall appoint two (2) members who shall not be affiliated with the same political party. The initial appointees shall serve terms of the following durations: One (1) of the members appointed by the mayor shall serve a term of one (1) year, one (1) of the members appointed by the mayor shall serve a term of two (2) years, one (1) of the members appointed by the city-county council shall serve a term of one (1) year, and one (1) of the members appointed by the city-county council shall serve a term of two (2) years. The chairman shall serve a term of two (2) years. Thereafter, and at the expiration of the terms of the initial appointees, each

appointment shall be made for a term of two (2) years. Each appointee shall serve at the pleasure of the Mayor if appointed by the Mayor or the Council if appointed by the Council until his successor is duly appointed and qualified. Vacancies shall be filled by members appointed by whomever made the initial appointment. A member appointed to fill a vacancy shall serve for the duration of the unexpired term.

(c) Powers and duties of the board.

Upon the written request of an employee or of any other person, the board may render advisory opinions concerning matters of governmental ethics. The board shall publish its opinion with any deletions or modifications necessary to prevent disclosure of the identity of the employee or person who is the subject of the opinion.

Upon request by the mayor, a department director, a county official, or member of the board, the board shall hold hearings to investigate possible violations of this Article. If the board finds that a violation of this Article has occurred, it may recommend to the mayor or appropriate official a resolution of the violation, or public disclosure of the violation, or disciplinary action, which may include dismissal.

The board shall review financial disclosure statements filed pursuant to Sec. 23-40.

The board is authorized to make recommendations to the mayor and to the city-county council concerning means of improving ethical standards in the government of the City of Indianapolis and Marion County.

Sec. 23-40. Financial Disclosure Statements.

(a) All employees who receive annual compensation from the City of Indianapolis or Marion County in excess of Seventeen Thousand Five Hundred Dollars (\$17,500.00) shall file a financial disclosure statement on or before the first day of May of each year.

(1) The board of ethics shall require a financial disclosure statement from which shall include the following information:

- (i) the name of the employee,
- (ii) the employee's address,
- (iii) the office in which the employee is employed,
- (iv) the employee's job title,
- (v) the names of members of employee's immediate family,
- (vi) the total compensation the employee received from the City of Indianapolis or Marion County during the past year,

(vii) a statement of whether or not the employee received compensation, other than salary paid by the City of Indianapolis or Marion County, in excess of one thousand dollars (\$1,000.00) during the past year,

(viii) a statement of whether or not the employee or members of the employee's immediate family owned real estate, other than a family residence, in Marion County during the past year,

(ix) a statement of whether or not the employee or members of the employee's immediate family owned stocks or other investments in a business entity which represented a material interest or had a value in excess of five thousand dollars (\$5,000.00) during the past year,

(x) a statement of whether or not the employee or a member of the employee's immediate family has received gifts from a business entity during the past year of a value in excess of one hundred dollars (\$100.00),

(xi) a statement of whether or not the employee or a member of the employee's immediate family had a direct or indirect pecuniary interest in any contract with the City of Indianapolis or Marion County during the past year, other than a contract of employment.

(2) The board of ethics shall require a confidential financial disclosure form to be filed by any employee who makes an affirmative response to any of the items listed in paragraphs (vii) through (xi) of subsection (a) of this section. Confidential financial disclosure forms shall include the following information for each item to which an affirmative response is made by an employee:

(i) the source and amount of other compensation in excess of one thousand dollars (\$1,000.00) which the employee received during the past year,

(ii) a listing of all real estate, other than a family residence located in Marion County owned by the employee or members of employee's immediate family during the past year,

(iii) a listing of all stocks, bonds, or other investments in a business entity owned by the employee or members of the employee's immediate family which represented a material interest or had a value in excess of five thousand dollars (\$5,000.00) during the past year,

(iv) a list stating amount and source of all gifts the employee or members of his immediate family received from a business entity during the past year, of a value in excess of one hundred dollars (\$100.00),

(v) a statement of whether or not the employee or a member of the employee's immediate family had a direct or indirect pecuniary interest in any contract with the City of Indianapolis or Marion County during the past year, other than a contract of employment, and, if so, an explanation of the extent of the interest.

(b) All members of the city-county council and all members of boards and commissions of the City of Indianapolis or Marion County shall file a confidential financial disclosure statement on or before the first day of May of each year. The board of ethics shall prepare the form which shall be limited to the following information:

- (i) the name of the member,
- (ii) the member's address,
- (iii) the business entity for which the member is employed,
- (iv) the position for the City of Indianapolis or Marion County in which the member serves,

(v) a listing of any business entity from which the member receives compensation in excess of one thousand dollars (\$1,000.00) per year and which business entity is doing or contemplates doing business with the City of Indianapolis or Marion County during the member's term of office,

(vi) a listing of all stocks, bonds, or other investments in a business entity owned by the member or his immediate family which represent a material interest or which have a value in excess of five thousand dollars (\$5,000.00) and which business entity is doing or contemplates doing business with the City of Indianapolis or Marion County during the member's term of office.

(vii) a statement whether or not the member or his immediate family owns real estate in Marion County other than their family residence.

(c) All financial disclosure statements filed pursuant to this Article shall be returned to the employee or the member of a board or commission upon his request when he ceases to be an employee or a member of the board or commission.

(d) The confidential financial disclosure form required by subsection (a) and the confidential financial disclosure statement required by subsection (b) shall not be a public record and shall be retained in a sealed envelope which shall be opened only by the board in the performance of its official duties. Unauthorized disclosure of information contained in a confidential disclosure form shall be unlawful and a misdemeanor and subject to the penalties imposed by Section 1-8 of this code or any other law. In addition, any member of the board who directly or indirectly causes or allows unauthorized access to a confidential financial disclosure form or any information contained thereon shall be deemed to have thereby vacated his office on said board and such vacancy shall be immediately filled in the manner provided herein for vacancies.

Sec. 23-41. Penalties for violation.

Violation of this Article may be punished by disclosure of the violation or by disciplinary action, which may include dismissal, imposed by the mayor or other appropriate official. Violations of this Article shall not be deemed criminal unless the act or acts constituting a violation of this Article are a violation of another criminal provision, the penalties for violation of this Article may be imposed in addition to the penalties otherwise prescribed.

SECTION 2. If a provision of this ordinance or its application to a person or circumstance is held invalid, the invalidity does not affect other provisions or application of this ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this ordinance are severable.

SECTION 3. Section 23-7 of the Code of Indianapolis and Marion County is hereby repealed.

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

PROPOSAL NO. 14, 1977. Following discussion during which Mr. West moved to table Proposal No. 14, 1977, the Chair called for the vote on Proposal No. 14, 1977. The proposal was adopted on the following roll call vote; viz:

21 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.

5 NOES: Mr. Anderson, Mrs. Brinkman, Mrs. Coughenour, Mr. Howard and Mr. West.

1 NOT VOTING: Mr. Dowden.

Proposal No. 14, 1977, was retitled GENERAL ORDINANCE NO. 10, 1977, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 10, 1977

A GENERAL ORDINANCE enlarging the boundaries of the Fire Special Service District of the City of Indianapolis and fixing a time when the same shall be effective [Amends Code Section 2-339].

WHEREAS, all of the owners of the real property hereinafter described have petitioned to have said real estate included with the boundaries of the Fire Special Service District of the City of Indianapolis; and

WHEREAS, the Department of Metropolitan Development has made its findings of fact and recommendations with respect to said petition, which findings of fact and recommendations were mailed to the Indianapolis Fire Chief, Washington Township Trustee, and petitioners on December 16, 1976; and

WHEREAS, this Council, after public hearing, now determines that reasonable and adequate fire protection can be provided within such expanded area by the City Fire Force and the extension of such boundaries is in the public interest of the citizens of the Consolidated City of Indianapolis; now, therefore:

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

SECTION 1. The boundaries of the Fire Special Service District of the City of Indianapolis be, and are hereby, extended to include the following territorial area of the Consolidated City, to wit:

Part of Lot numbered Sixteen (16) in Trester's Second Addition, Marion County, Indiana, the plat of which is recorded in Plat Book 15, page 124 in the office of the Recorder of Marion County, Indiana, described as follows:

Beginning at a point in the north line of said lot 148.63 feet west of the north east corner thereof; running thence south parallel to the east line of said lot, 185 feet to a point; running thence west parallel with the north line of said lot 150.32 feet to the center of the Michigan Road; running thence northwestwardly along the center line of the Michigan Road 196.67 feet to the north west corner of said lot; running thence east along the north line of said lot; 217.77 feet to the place of beginning.

SECTION 2. Section 2-339(b) of the "Code of Indianapolis and Marion County, Indiana," is hereby amended to include an additional paragraph appropriately numbered by the Clerk, containing the descriptions in Section 1 of this ordinance as an expansion of the Fire Special Service District as provided in Section 1.

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

SPECIAL ORDERS—FINAL ADOPTION

The Chair called for any proposals to be heard under Special Orders-Final Adoption.

PROPOSAL NO. 60, 1977. Following discussion, Mr. Clark moved, seconded by Mr. Tintera, to adopt Proposal No. 60, 1977. The motion passed by voice vote.

Proposal No. 60, 1977, was retitled **COUNCIL RESOLUTION NO. 8, 1977**, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 8, 1977

A COUNCIL RESOLUTION confirming Board and Commission appointments effective January 1, 1977.

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

SECTION 1. As members of the Indianapolis Human Rights Commission the Council appoints:

Jerry Harkness
Larna K. Spearman
Charles M. Russell

SECTION 2. The foregoing appointments shall be for terms of three (3) years beginning January 1, 1977, at the pleasure of the Council and until their respective successors are appointed.

PROPOSAL NO. 27, 1977. Following discussion, Mr. West moved, seconded by Mr. Cantwell, to adopt Proposal No. 27, 1977. The motion passed on the following roll call vote; viz:

21 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Gilmer, 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, and Mr. Walters.

3NOES: Mrs. Brinkman, Mrs. Coughenour and Mr. West.

3 NOT VOTING: Mr. Anderson, Mr. Clark, and Mr. Dowden.

Proposal No. 27, 1977, was retitled GENERAL ORDINANCE NO. 12, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 12, 1977

A GENERAL ORDINANCE enlarging the boundaries of the Fire Special Service District of the City of Indianapolis and fixing a time when the same shall be effective [Amends Code Section 2-339].

WHEREAS, all of the owners of the real property hereinafter described have petitioned to have said real estate included within the boundaries of the Fire Special Service District of the City of Indianapolis; and

WHEREAS, the Department of Metropolitan Development has made its findings of fact and recommendations with respect to said petition, which findings of fact and recommendations were mailed to the Indianapolis Fire Chief, Pike Township Trustee, and petitioners on January 7, 1977; and

WHEREAS, this Council, after public hearing, now determines that reasonable and adequate fire protection can be provided within such expanded area by the City Fire Force and that the extension of such boundaries is in the public interest of the citizens of the Consolidated City of Indianapolis; now, therefore:

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

SECTION 1. The boundaries of the Fire Special Service District of the City of Indianapolis be, and are hereby, extended to include the following territorial area of the Consolidated City, to wit:

Part of the West Half of the Northeast Quarter of Section 12, Township 16 North, Range 2 East, more particularly described as follows, to wit:

Beginning at the intersection of the South property line of West 56th St. and the northeasterly property line of the Lafayette Road, as now located and established in Marion County, Indiana; running thence east on and along the south property line of said 56th St. a distance of 248.45 feet to a point; thence deflecting 90 degrees no minutes to the right in a southerly direction a distance of 128.0 feet to a point; thence deflecting 53 degrees 49 minutes to the right in a southwesterly direction a distance of 124.96 feet to a point on the northeasterly property line of said Lafayette Road; running thence in a northwesterly direction and on the northeasterly property line of said Lafayette Road a distance of 250.0 feet to the point or place of beginning.

SECTION 2. Section 2-339(b) of the "Code of Indianapolis and Marion County, Indiana," is hereby amended to include an additional paragraph appropriately numbered by the Clerk, containing the descriptions in Section 1 of this ordinance as an expansion of the Fire Special Service District as provided in Section 1.

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

PROPOSAL NO. 520, 1977. Following discussion, Mr. Durnil moved, and the motion was duly seconded, to strike Proposal No. 520, 1977. The motion passed by voice vote.

PROPOSAL NO. 44, 1977. Following discussion, Mr. Miller moved, and it was duly seconded, to amend Proposal No. 44, 1977, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that Proposal No. 44, 1977, be amended as follows:

(a) In line 8 of Section 1 strike the period and add the following: "with the deletion of Item 26 on page 2 of Exhibit A."

(b) In line 3 of Section 2, strike the period and add "as hereby modified."

s/Donald Miller

The motion passed by voice vote.

Following discussion, Mr. West moved, and it was duly seconded, to amend Mr. Miller's amendment, by substituting the unamended proposal. The motion passed by voice vote.

Following further discussion, Mr. Howard moved, seconded by Mrs. Journey, to return Proposal No. 44, 1977, As Amended, to the Transportation Committee. The motion failed on the following roll call vote; viz:

6 AYES: Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Howard, Mrs. Journey and Mr. Walters.

20 NOES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

1 NOT VOTING: Mr. Bayt.

Mr. Clark then moved, seconded by Mr. Anderson, to amend Proposal No. 44, 1977, As Amended, by deleting Item 10 on page 1 of Exhibit A. The motion carried on the following roll call vote; viz:

14 AYES: Mr. Anderson, Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Howard, Mrs. Journey, Mr. Rippel, Mr. Schneider, Mr. SerVaas, and Mr. Walters.

13 NOES: Mr. Boyd, Mrs. Brinkman, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

After motion duly made and seconded to adopt Proposal No. 44, 1977, As Amended, Proposal No. 44, 1977, was adopted on the following roll call vote; viz:

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

2 NOES: Mr. Cantwell and Mrs. Coughenour.

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

Proposal No. 44, 1977, As Amended, was retitled GENERAL RESOLUTION NO. 5, 1977, and reads as follows:

CITY—COUNTY GENERAL RESOLUTION NO. 5, 1977

A GENERAL RESOLUTION approving the actions of the Transportation Board with respect to certain capital improvements within the Metropolitan Thoroughfare District for the year 1977.

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

SECTION 1. The actions of the Transportation Board of the City of Indianapolis with respect to certain capital improvements as set forth in its "Declaratory Resolution of the Transportation Board of the City of Indianapolis Concerning Capital Improvements for Calendar Year 1977" adopted November 7, 1976, and in its "Confirmatory Resolution of the Transportation Board of the City of Indianapolis" dated January 5, 1977, a copy of which is attached hereto, marked Exhibit A in four pages and incorporated herein by reference, are hereby approved with the deletion of Item 10 on page 2 of Exhibit A.

SECTION 2. the Transportation Board and Department of Transportation and its Director are authorized to proceed in accordance with law and the terms of said resolutions as hereby modified.

SECTION 3. This resolution shall be in full force and effect from and after passage and approval by the Mayor.

PROPOSAL NO. 23, 1977. Following discussion, Mr. Schneider moved, seconded by Mr. Pearce, to adopt Proposal No. 23, 1977. The motion passed on the following roll call vote; viz:

16 AYES: Mr. Anderson, Mr. Bayt, Mr. Campbell, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mr. Kimbell, Mr. McPherson, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer and Mr. West.

1 NO: Mr. Tintera.

10 NOT VOTING: Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mrs. Journey, Mr. Miller, Mr. Rippel and Mr. Walters.

Proposal No. 23, 1977, was retitled GENERAL ORDINANCE NO. 11, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 11, 1977

A GENERAL ORDINANCE amending City-County General Ordinance No. 97, 1976, and approving changes in the established personnel and salaries for Center Township, Marion County, Indiana.

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

SECTION 1. Section 2 of the City-County General Ordinance No. 97, 1976, be and the same is, hereby amended to add the following temporary employees for the Center Township Trustee for the period January 1, 1977, through February 28, 1977, to be funded from Comprehensive Employment and Training Act grants, to wit:

- 2 maintenance employees at \$1,025.00 for two months
- 1 maintenance employee at \$1,576.90 for two months
- 1 maintenance employee at \$1,182.69 for two months

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

PROPOSAL NOS. 61-64, 1977. No action was taken on Proposal Nos. 61-64, 1977, and they were retitled REZONING ORDINANCES NOS. 26-29, 1977, and read as follows:

REZONING ORDINANCE NO. 26, 1977. 76-Z118 PERRY TOWNSHIP, COUNCILMANIC DISTRICT NO. 20
5646 SOUTH MERIDIAN STREET, INDIANAPOLIS
Carl A. & Mary E. Risch by Michael J. Kias, Attorney, 3045 South Meridian Street request rezoning of 3.75 acres, being in A-2 district, to C-4 classification to permit a veterinarian clinic.

REZONING ORDINANCE NO. 27, 1977. 76-Z-165 PERRY TOWNSHIP, COUNCILMANIC DISTRICT NO. 20
3025 MADISON AVENUE & 505-511 KNOX STREET, INDIANAPOLIS
Herbert P. Lee by Tilden Mendelson, Attorney, 130 East Washington Street No. 1012 requests rezoning of 2.08 acres, being in C-5 and C-7 districts to C-1D classification to permit wholesale distribution and outdoor storage of plumbing supplies.

REZONING ORDINANCE NO. 28, 1977. 77-Z-14 PERRY TOWNSHIP, COUNCILMANIC DISTRICT NO. 24
6360 MCFARLAND ROAD, INDIANAPOLIS
Frank B. & Fern M. Dawson, 2930 East Banta Road request rezoning of 15.62 acres, being in A-2 district, to SU-1 classification to permit church related uses.

REZONING ORDINANCE NO. 29, 1977. 77-Z-16 WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT NO. 2
8151 UNION CHAPEL ROAD, INDIANAPOLIS
Northeast Baptist Church, Inc. by Wendell T. Heller, President and Pastor, requests rezoning of 32.90 acres, being in A-2 district to SU-1 classification to permit church uses.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and after motion duly made and seconded, the meeting adjourned at 1:26 a.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, held at its Regular Meeting on the 22nd day of February, 1977.

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)