

CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
SPECIAL MEETING
Monday, March 14, 1977

A Special Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:10 p.m., Monday, March 14, 1977, President SerVaas in the chair. Councilman William Dowden opened the meeting with a prayer followed by the Pledge of Allegiance.

ROLL CALL

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

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

CALL FOR SPECIAL MEETING

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

TO THE MEMBERS OF THE CITY—COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

You are hereby notified that there will be a **SPECIAL MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, March 14, 1977, at 7:00 p.m., the purposes of such **MEETING** being to conduct any and all business that may properly come before the special 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 22, 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 23, 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 March 3, 1977, and March 10, 1977, a *Notice to Taxpayers* on Proposal No. 58, 1977, for a Public Hearing to be held on Monday, March 14, 1977, at 7:00 p.m., in the City-County Building and a *Notice of Public Hearing on Zonings* for Proposal No. 65, 1977, for a Public Hearing to be held on Monday, March 14, 1977, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippey
City Clerk

March 1, 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. Rippey, the following City-County Ordinances:

FISCAL ORDINANCE NO. 18, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$117,663.10 in the County General Fund for purposes of the Prosecuting Attorney.

FISCAL ORDINANCE NO. 19, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$10,485.00 in the Crime Control Fund for purposes of the Juvenile Court.

GENERAL ORDINANCE NO. 10, 1977 enlarging the boundaries of the Fire Special Service District of the City of Indianapolis and fixing a time when the same shall be effective.

GENERAL ORDINANCE NO. 11, 1977 amending City-County General Ordinance No. 97, 1976 and approving changes in the established personnel and salaries for Center Township, Marion County, Indiana.

GENERAL ORDINANCE NO. 12, 1977 enlarging the boundaries of the Fire Special Service District of the City of Indianapolis and fixing a time when the same shall be effective.

GENERAL ORDINANCE NO. 13, 1977 amending City-County General Ordinance No. 97, 1976 and approving changes in the established personnel and salaries for Center Township, Marion County, Indiana.

GENERAL RESOLUTION NO. 4, 1977 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.

GENERAL RESOLUTION NO. 5, 1977 approving the actions of the Transportation Board with respect to certain capital improvements within the Metropolitan Thoroughfare District for the year 1977.

GENERAL RESOLUTION NO. 6, 1977 authorizing allocation and expenditures of Housing and Community Development Act of 1974 grants for calendar year 1977.

GENERAL RESOLUTION NO. 7, 1977 authorizing allocation and expenditures of Housing and Community Development Act of 1974 grants for calendar year 1977.

GENERAL RESOLUTION NO. 8, 1977 extending Southwest Multi-Service Center through April 30, 1977.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

March 3, 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. Rippey, the following City-County Ordinance:

GENERAL ORDINANCE NO. 19, 1977 amending 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.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

March 7, 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 Indianapolis News on March 10, 1977, and March 17, 1977, General Ordinance No. 9, 1977.

Respectfully,

s/Beverly S. Rippey
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.

PROPOSAL NO. 86, 1977. Introduced by Councilmen Bayt, West and Campbell. Councilman Bayt read the proposal commemorating Mr. Lawrence F. Broderick. Mr. Bayt moved, seconded by Mr. Cantwell, to adopt Proposal No. 86, 1976. The motion carried by unanimous voice vote.

Proposal No. 86, 1977, was retitled SPECIAL RESOLUTION NO. 4, 1977, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 4, 1977

A SPECIAL RESOLUTION commemorating Mr. Lawrence F. Broderick.

WHEREAS, Mr. Lawrence F. Broderick had a sincere and personal concern for the safety of the citizens of Indianapolis and Marion County, as demonstrated in his efforts to provide the best service possible as Sheriff of Marion County, and;

WHEREAS, Mr. Lawrence F. Broderick always considered people, regardless of politics, first and foremost throughout his public service career as a member of the State Police, City-County Council and Marion County Sheriff, and;

WHEREAS, Mr. Lawrence F. Broderick, with his leadership ability, had begun to bring about long needed changes in the Sheriff's Office, and;

WHEREAS, Mr. Lawrence F. Broderick was suddenly and without visible reason taken from us in the tragic accident of March 9th, 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, on behalf of its members and for the citizens of the City of Indianapolis and Marion County, does hereby commemorate the achievements and contributions of Mr. Lawrence "Larry" Broderick.

SECTION 2. The City-County Council, on behalf of its members and for the citizens of the City of Indianapolis and Marion County, does hereby extend its sympathy to the family of Mr. Lawrence "Larry" Broderick.

SECTION 3. The Clerk of the City-County Council is hereby directed to suitably inscribe a copy of this resolution for delivery to Mrs. Broderick that she may know her husband will long be remembered by those he served.

SECTION 4. The Mayor of the City of Indianapolis is invited to join in the expression of this resolution by affixing his signature.

INTRODUCTION OF GUESTS

President SerVaas introduced students from Greenbriar Elementary School who are studying unified government.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 70, 1977. Introduced by Councilman Durnil. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County, 1975, Chapter 8, by amending Articles I, II, IV and V, concerning issuance of building permits; fees for permits, examinations, licensure and investigations; penalties for noncompliance; listing of contractors; licensure of electrical contractors, heating and cooling contractors and wrecking contractors; issuance of sign permits; construction standards and regulations for signs, awnings, marquees and canopies; issuance of sign permits; fees for permits for signs, marquees and permanent awnings and annual sign inspections"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NOS. 71-75, 1977. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on March 3, 1977"; and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 76, 1977. Introduced by Councilman Clark. 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 five thousand dollars (\$5,000.00) in the City General Fund for purposes of Department of Administration and reducing the unappropriated and unencumbered balance in the City General Fund"; and the President referred it to the Administration Committee.

PROPOSAL NO. 77, 1977. Introduced by Councilman Clark. 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 nineteen thousand dollars (\$19,000.00) in the Manpower Federal Program Fund for purposes of the Division of Employment and Training, Department of Administration and reducing the unappropriated and unencumbered balance in the Manpower Federal Program Fund"; and the President referred it to the Administration Committee.

PROPOSAL NO. 78, 1977. Introduced by Councilwoman Parker. The Clerk read the proposal entitled: "A Proposal for a General Resolution authorizing allocation and expenditures of Housing and Community Development Act of 1976 grants for calendar year 1977"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 79, 1977. Introduced by Councilman McPherson. 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 one hundred eighty-three thousand one hundred sixty dollars (\$183,160.00) in the Sanitary District Fund for purposes of Sanitation 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. 80, 1977. Introduced by Councilman Tinder. The Clerk read the proposal entitled: "A Proposal for a Special Resolution authorizing certain employees of the City of Indianapolis to join the Public Employee's Retirement Fund"; and the President referred it to the Administration Committee.

PROPOSAL NO. 81, 1977. Introduced by Councilwoman Brinkman and Councilman Vollmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance providing special parking privileges to certain handicapped persons, providing certain procedures for use of such privileges, fixing penalties for violations and amending Section 29-256 of the Code of Indianapolis and Marion County, Indiana"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 82, 1977. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional fifty-seven thousand one hundred eighty-nine dollars (\$57,189.00) in the Sanitary District Fund for purposes of Sanitation 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. 83, 1977. Introduced by Councilman McPherson. 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) transferring and appropriating two thousand five hundred dollars (\$2,500.00) in the City General Fund for purposes of the Administration Division, Department of Public Works and reducing certain other appropriations for that department"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 84, 1977. Introduced by Councilman Clark. 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 four million fifty-three thousand ninety-seven dollars and seventy-nine cents (\$4,053,097.79) in the Community Services Fund for purposes of Community Services Division, Department of Administration and reducing the unappropriated and unencumbered balance in the Community Services Fund"; and the President referred it to the Administration Committee.

PROPOSAL NO. 85, 1977. Introduced by Councilman Schneider. 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) transferring and appropriating three hundred fifty dollars (\$350.00) in the County General Fund for purposes of Pike Township Assessor and reducing certain other appropriations for that department"; and the President referred it to the County and Townships Committee.

SPECIAL ORDERS—PUBLIC HEARING

PROPOSAL NO. 65, 1977. The Council recessed to a Committee of the Whole at 7:24 p.m. and reconvened at 7:25 p.m. Following public hearing and discussion during which Robert N. Kennedy, Director, Department of Metropolitan Development, answered questions from the Council, Mr. Durnil moved, seconded by Mr. Walters to adopt Proposal No. 65, 1977. The motion carried on the following roll call vote; viz:

26 AYES: *Mr. Anderson, Mr. Bayt, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.*

NO NOES.

3 NOT VOTING: *Mr. Boyd, Mr. Clark and Mr. Tintera.*

Proposal No. 65, 1977, was retitled GENERAL ORDINANCE NO. 14, 1977, and reads as follows:

The Metropolitan Development Commission of Marion County, Indiana proposes amendment to said Marion County Council Ordinance No. 8-1957, as amended, and the COMPREHENSIVE ZONING MAPS OF MARION COUNTY, INDIANA, as amended, by the adoption of ORDINANCE 77-A0-1, AMENDING THE COMPREHENSIVE ZONING MAPS OF MARION COUNTY, INDIANA, updating the said MAPS to include subsequent rezonings (which MAPS are a part of said ordinance and incorporated therein by reference).

PROPOSAL NO. 28, 1977. The Council recessed to a Committee of the Whole at 7:26 p.m. during which time Mr. Don Christenson spoke against the passage of Proposal No. 28, 1977. The Council reconvened at 7:28 p.m. During Council discussion, Mr. West stated for uniformity in adopting CETA programs instead of adopting some programs which run through December 31, 1977 and others which only run through September 30, 1977. Mr. Richard Payne, Council Staff, stated that it was anticipated that the funds would be continued after September 30, 1977, and if the funds were discontinued, then the program would be discontinued. Mr. Fred Armstrong, City Controller, stated that his office had no control over the county agencies and therefore those agencies had been funded through September 30, 1977, but the Controller's Office did have control over city agencies. Mrs. Brinkman stated that an amendment should be made so that all agencies would be treated equally. The Chair excused Mrs. Brinkman to prepare an amendment and continued with other business.

PROPOSAL NO. 58, 1977. The Council recessed to a Committee of the Whole at 7:38 p.m. and reconvened at 7:39 p.m. Following public hearing and discussion during which Mr. Robert Elrod, General Counsel, answered questions concerning Congress' funding of programs, Mr. West moved, seconded by Mr. Bayt, to adopt Proposal No. 58, 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. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

2 NOES: Mr. Gorham and Mr. Schneider.

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

Proposal No. 58, 1977, was retitled FISCAL ORDINANCE NO. 22, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional thirteen thousand two hundred five dollars twenty-two cents (\$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.

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 extending sheriff employees financed by a grant pursuant to Title VI of the Comprehensive Employment and Training Act.

SECTION 2. The sum of thirteen thousand two hundred five dollars twenty-two cents (\$13,205.22) 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 JAIL	COUNTY GENERAL FUND
10. Services Personal	\$ 11,880.00
COUNTY AUDITOR	
24. Current Charges	630.24
25. Current Obligations	694.98
TOTAL INCREASES	\$ 13,205.22

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

Unappropriated and Unencumbered County General Fund	COUNTY GENERAL FUND
	\$ 13,205.22
TOTAL REDUCTIONS	\$ 13,205.22

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 of 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.

SPECIAL ORDERS-FINAL ADOPTION

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

PROPOSAL NO. 59, 1977. Councilman Gilmer stated that more time was needed to obtain engineering studies concerning Proposal No. 59, 1977. Mr. Gilmer moved, seconded by Mr. Schneider, to table Proposal No. 59, 1977, until March 28, 1977. The motion carried by unanimous voice vote.

Mr. Gilmer then introduced Mr. Art Strong, Superintendent, Eagle Creek Park and a member of the Mayor's Task Force on Bicycling. The Chair consented to a presentation concerning the removal of the Canal Bike Path from the Capital Budget. Mr. Strong introduced Mr. Fred Evans of the Central Indiana Bicycle Association and Ms. Catherine Dusing of the Central Indiana Bicycle Association and on the Mayor's Task Force on Bicycling who also supported the return of the Canal Bike Path to the Capital Budget.

PROPOSAL NO. 57, 1977. Following discussion, Mr. Schneider moved, seconded by Mr. Rippel to amend Proposal No. 57, 1977, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to strike Proposal No. 57, 1977, as introduced and substitute therefor, the draft entitled:

Proposal No. 57, 1977, Committee Recommendations.

s/William Schneider

The motion passed by unanimous voice vote.

Following further discussion, Mr. Schneider moved, seconded by Mr. Campbell, to adopt Proposal No. 57, 1977, As Amended. 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, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

7 NOT VOTING: Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Gorham, Mrs. Journey, Mr. Rippel and Mr. Tintera.

Proposal No. 57, 1977, As Amended, was retitled GENERAL ORDINANCE NO. 15, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 15, 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 March 1, 1977, through May 1, 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 NO. 66, 1977. Following discussion, Mr. Schneider moved, seconded by Mr. Campbell, to adopt Proposal No. 66, 1977. The motion carried on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, 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. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

1 NO: Mrs. Brinkman.

4 NOT VOTING: Mr. Campbell, Mr. Cantwell, Mr. Gorham and Mr. Tintera.

Proposal No. 66, 1977, was retitled FISCAL ORDINANCE NO. 23, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 23, 1977

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.

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 purchasing certain equipment.

SECTION 2. The sum of three hundred twelve thousand dollars (\$312,000.00) 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:

CENTRAL DATA PROCESSING	COUNTY GENERAL FUND
50. Properties	\$ 312,000.00
Total Increases	\$ 312,000.00

SECTION 4. The said increased appropriation are funded by the following reduction:

CENTRAL DATA PROCESSING	COUNTY GENERAL FUND
24. Current Charges	\$ 312,000.00
Total Reductions	\$ 312,000.00

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

PROPOSAL NOS. 41 and 42, 1977. Mr. Tinder stated that these proposals had been postponed until March 28, 1977 by the committee.

PROPOSAL NO. 56, 1977. Following discussion, Mr. Tinder moved, seconded by Mr. Clark, to adopt Proposal No. 56, 1977. The motion carried on the following roll call vote; viz:

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

NO NOES.

1 NOT VOTING: Mr. Tintera.

Proposal No. 56, 1977, was retitled GENERAL ORDINANCE NO. 16, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 16, 1977

A GENERAL ORDINANCE regulating the selling of food or their 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.]

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

SECTION ONE. THE CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA be, and is hereby, amended to readopt City-County General Ordinance No. 108, 1971, by adding the following new division in Chapter 29, to wit:

DIVISION 5. FOOD VENDING VEHICLES

Sec. 29-400. *Unlawful to Stop for Purpose of Selling upon Thoroughfares and State Highways.* It shall be unlawful for the driver or operator of any motor vehicle to stop said vehicles for the purpose of selling or offering for sale any food or other products, or to sell or offer for sale such merchandise while stopped, to the general public at said vehicle upon any public roadway in Marion County, Indiana, which is then a part of the Official Thoroughfare Plan of said County.

Sec. 29-401. *Unlawful to Stop for Purpose of Selling in Vicinity of any Grade or Junior High School.* It shall be unlawful for the driver or the operator of any motor vehicle to stop said vehicle for the purpose of selling or offering for sale any food or other products or to sell or offer for sale such merchandise at said vehicle while stopped, or to use any loudspeaker, bell or other device giving an audible signal to advertise such merchandise, within a distance of one thousand (1000) feet of any real estate which is then used as part of the school grounds of any duly accredited public, or private grade or junior high school between the hours of 7:00 a.m. and 4:00 p.m. on days when said schools are in session.

Sec. 29-402. *Limitation on Loudness of Loudspeakers and Bells used for Advertising.* It shall be unlawful for the driver or operator of any motor vehicle to use more than one (1) loudspeaker, bell, or other device, and said loudspeaker, bell or other device shall not have the capability or capacity to emit a signal louder than one hundred (100) decibels at full volume measured at any distance from the said device for the purpose of advertising to the general public the food, product or presence of the vehicle.

Sec. 29-403. *Unlawful to use Audible Advertising while Moving.* It shall be unlawful for the driver or operator of any motor vehicle from and at which food or other products are being sold to use any loudspeaker, bell or other device giving an audible signal to advertise said products or the presence of the vehicle while the vehicle is in motion.

Sec. 29-404. *Unlawful to stop for Purpose of Selling without Proper Equipment.* It shall be unlawful for the driver or operator for any motor vehicle to stop said vehicle for the purpose of selling or offering for sale at said vehicle any food products without having the following equipment mounted on said vehicle and in operation during the period of selling said products;

(a.) A metal, horizontally, extendable sign at least twenty (20) inches in length and at least ten (10) inches in width imprinted with the words "STOP" in six (6) inch, black, block letters on yellow background and "PROCEED WITH CAUTION" in two (2) inch, black, block letters on a yellow background, such arm to be lighted, at the street end of said arm with two (2) alternately flashing red lights two (2) inches in diameter, clearly visible from both front and rear at a distance of at least three hundred (300) feet, the bottom of said sign to be a height of five (5) feet above the level of the street or way;

(b.) Two (2) alternately flashing red lights not less than four (4) inches in diameter, placed one above the other on the street side of the front end of the vehicle, when legally parked, not more than one (1) foot part, the lower of which shall be approximately four (4) feet from the surface of the street or way, and, clearly visible from not less than three hundred (300) feet from the front of said vehicle.

(c.) Two (2) alternately flashing red lights not less than four (4) inches in diameter, placed one above the other on the street side of the rear end of the vehicle, when legally parked, not more than one (1) foot apart, the lower of which shall be approximately four (4) feet from the surface of the street or way, and, clearly visible from not less than three hundred (300) feet from the rear of said vehicle.

Sec. 29-405. *Unlawful to pass stopped Vending Vehicle.* It shall be unlawful for any motorist, when approaching a parked, food vending vehicle from any direction at a time when such vehicle is displaying the metal, extendable arm and the flashing lights as provided for in Section 5 above, to fail to come to a complete stop at least ten (10) feet from the closest end of said vehicle or to fail to then proceed with caution to pass said vehicle.

Sec. 29-406. *Unlawful to Vend from other than Curb Side.* It shall be unlawful to sell or offer for sale any food or other products from a vehicle unless said vehicle is legally parked or to sell or offer for sale from other than the curb side of a legally parked food vending vehicle.

Sec. 29-407. *Time.* It shall be unlawful to engage in selling or offering for sale any food or other products from and at a motor vehicle between 10:00 p.m. and 6:00 a.m.

SECTION TWO. *Penalty.* Any person convicted of violating this Ordinance shall be fined in any amount not exceeding Five Hundred Dollars (\$500.00), to which may be added imprisonment not exceeding one hundred and eighty (180) days.

SECTION THREE. *Effective Date.* This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

PROPOSAL NO. 67, 1977. Mr. McPherson stated the need to have Proposal No. 67, 1977, heard before a joint committee of Public Works and Parks and Recreation. The President therefore assigned this proposal to such a committee.

PROPOSAL NO. 28, 1977. The Chair called for Mrs. Brinkman's amendment which reads as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 28, 1977, as follows:

In Section 1, line 3, after the word "employees" insert "through September 30, 1977.

In Section 2, line 1, delete "\$23,800.00" and insert in lieu thereof "\$17,850.00."

In Section 3, line 4, delete "\$21,495.00" and insert in lieu thereof "\$16,121.00"; line 5, delete "1,050.00" and insert in lieu thereof "\$788.00"; line 6, delete "\$1,255.00" and insert in lieu thereof "\$941.00"; and in line 7, delete "\$23,800.00" and insert in lieu thereof, "\$17,850.00."

In Section 4, lines 3 and 4, delete the figure "\$23,800.00" and insert in lieu thereof, "\$17,850.00."

Joyce Brinkman

The motion failed by voice vote.

The Chair called the vote on Proposal No. 28, 1977. The proposal was adopted on the following roll call vote; viz:

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

3 NOT VOTING: Mr. Cantwell, Mr. Gorham and Mr. Schneider.

Proposal No. 28, 1977, was retitled FISCAL ORDINANCE NO. 21, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 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 eight hundred dollars (\$23,800.00) in the City General Fund for purposes of the Administration Division, Department of Public Works and reducing the unappropriated and unencumbered balance in the City General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 6 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of expenditures for employees pursuant to a grant under the Comprehensive Employment and Training Act.

SECTION 2. The sum of twenty-three thousand eight hundred dollars (\$23,800.00) 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:

DEPARTMENT OF PUBLIC WORKS		
ADMINISTRATION		
10.	Personal Services	\$ 21,495.00
24.	Current Charges	1,050.00
25.	Current Obligations	1,255.00
	TOTAL INCREASES	\$ 23,800.00

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

CITY GENERAL FUND		
Unappropriated and Unencumbered		
City General Fund		\$ 23,800.00
	TOTAL REDUCTIONS	\$ 23,800.00

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 City Controller, 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 NOS. 71-75, 1977. No action was taken on Proposal Nos. 71-75, 1977, and they were retitled REZONING ORDINANCE NOS. 30-34, 1977, and read as follows:

**REZONING ORDINANCE NO. 30, 1977. 77-Z-1 WAYNE TOWNSHIP,
COUNCILMANIC DISTRICT NO. 19
4830 WEST MORRIS STREET, INDIANAPOLIS**
Norman M. and Della Ball and Cecil C. Johnson by W. Rudolph Steckler, Attorney, 613 Union Federal Building request rezoning of 3.00 acres being in C-4 district, to SU-12 classification to permit storage and sale of nonfunctional autos and parts.

**REZONING ORDINANCE NO. 31, 1977. 77-Z-10 WASHINGTON TOWNSHIP,
COUNCILMANIC DISTRICT NO. 2
2001 EAST 86th STREET, INDIANAPOLIS**
Estate of Carrie L. Tyner and Metropolitan School District of Washington Township by Ben J. Weaver, Attorney, 144 North Delaware St. request rezoning of 64.57 acres, being in A-2 district, to SU-2 classification to permit school uses.

**REZONING ORDINANCE NO. 32, 1977. 77-Z-15 DECATUR TOWNSHIP,
COUNCILMANIC DISTRICT NO. 19,
4302 KENTUCKY AVENUE (REAR), INDIANAPOLIS**
Railroad Car Service Corp. by William F. LeMond, Attorney, 600 Union Federal Building requests rezoning of 12.24 acres, being in I-2-S district, to I-4-S classification to permit repair and servicing of railroad equipment.

**REZONING ORDINANCE NO. 33, 1977. 77-Z-20 PERRY TOWNSHIP,
COUNCILMANIC DISTRICT NO. 25
1501 WEST STOP 11 ROAD, INDIANAPOLIS**
Herschel L. & Ocy Pauline Richeson, Dorothy F. Murdock and William F. Van Hoy, Jr. & AFNB, Executor Estate of Hazel Miles Smith, deceased by Michael J. Kias, Attorney, 3045 South Meridian St. request rezoning of 190.39 acres, being in A-2 district, to D-2 classification to permit residential use by platting.

**REZONING ORDINANCE NO. 34, 1977. 77-Z-21 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 14
550 NORTH SHADELAND AVENUE, INDIANAPOLIS**
Chrysler Realty Corp. by Charles W. Wilson, Attorney, 111 Monument Circle 10th Floor requests rezoning of 9.37 acres, being in C-4 district, to C-5 classification to permit the construction and operation of a motor vehicle dealership.

ANNOUNCEMENTS AND ADJOURNMENT

Councilwoman Brinkman mentioned that her trip to the National League of Cities was very informative. She stated that she had recorded several of the sessions which she attended and that any interested Councilperson was welcome to borrow the tapes.

President SerVaas reminded the Council that each Councilperson shall have filed a confidential financial disclosure statement by May 1, 1977, in accordance with Proposal No. 519, 1977. Mr. Howard asked who had been appointed to the Board of Ethics. President SerVaas stated that appointments would be made soon.

President SerVaas read a Senate Resolution signed by State Senator Joseph G. Bruggenschmidt concerning the unlimited use of power by Indiana's courts to mandate funds.

President SerVaas stated that Richard F. Clark had been elected to replace Alan R. Kimbell as majority leader during the Republican Caucus. The certification read as follows:

CERTIFICATION OF ELECTION OF CAUCUS LEADER

The undersigned Councilmen having affiliated themselves with the caucus of the Republican Party, hereby certify that by a vote taken at that caucus on the 14th day of March, 1977, Richard F. Clark was elected as caucus leader.

s/George E. Anderson
s/Joyce E. Brinkman
s/Richard F. Clark
s/Beulah Coughenour
s/William A. Dowden
s/Allen L. Durnil
s/Gordon G. Gilmer
s/Joe T. Gorham
s/Donald R. McPherson
s/Donald W. Miller

s/Paula M. Parker
s/Jack F. Patterson
s/Richard A. Rippel
s/William G. Schneider
s/Beurt SerVaas
s/John G. Tinder

s/Stephen R. West
s/Alan R. Kimbell

There being no further business and after motion duly made and seconded, the meeting adjourned at 8:29 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, held at its Special Meeting on the 14th day of March, 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)