

CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
SPECIAL MEETING  
Monday, March 28, 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 28, 1977, President SerVaas in the chair. Councilman Paul Cantwell opened the meeting with a prayer followed by the Pledge of Allegiance.

ROLL CALL

President SerVaas instructed the Clerk to take the roll. Twenty-six 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, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

*ABSENT: Mr. Gorham, Miss Parker and Mr. Patterson.*

The Chair stated that Miss Parker was excused since she was out of town on business for her employer and Mr. Patterson was excused because of health reasons.

CALL FOR SPECIAL MEETING

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

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL  
OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:**

**Ladies and Gentlemen:**

**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 28, 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 March 14, 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:

March 16, 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 17, 1977, and March 24, 1977, a *Notice to Taxpayers* on Proposal Nos. 76, 77, 79, 82, and 84, 1977, for a Public Hearing to be held on Monday, March 28, 1977, at 7:00 p.m. in the City-County Building.

Respectfully,

Beverly S. Rippy  
City Clerk

March 18, 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:

**SPECIAL RESOLUTION NO. 4, 1977** commemorating Mr. Lawrence F. Broderick.

**FISCAL ORDINANCE NO. 21, 1977** amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 and appropriating an additional \$23,800 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.

**GENERAL ORDINANCE NO. 14, 1977** 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-AO-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).

**GENERAL ORDINANCE NO. 15, 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. 16, 1977** 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 Section 29-400—29-407.)

Respectfully,

s/William H. Hudnut, III

### PRESENTATION OF PETITONS, 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. 100, 1977.** Introduced and read by Councilman Clark. The proposal is entitled: "A Proposal for a Council Resolution confirming Fred G. Johnston, Jr. and William R. Simons as members of the Board of Ethics"; and the President referred it to the Rules and Policy Committee and requested that Mr. Johnston and Mr. Simons attend the Rules and Policy Committee's next meeting.

Councilman Boyd introduced Mr. Simons, one of the prospective appointees for the Board of Ethics.

## INTRODUCTION OF PROPOSALS

PROPOSAL NOS. 87-88, 1977. Introduced by Councilman Durnil. The Clerk read the proposal entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on March 15, 1977"; and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NOS. 89-94, 1977. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on March 17, 1977"; and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 95, 1977. Introduced by Councilman Cantwell. 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 nine million seven hundred thousand dollars (\$9,700,000.00) in the County General Fund for purposes of County Commissioners 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. 96, 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 four million one hundred twenty-five thousand six hundred dollars (\$4,125,600.00) 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. 97, 1977. Introduced by Councilman Miller. 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 sixty-six thousand three hundred eighty-eight dollars (\$166,388.00) in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation Fund"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 98, 1977. Introduced by Councilman Cantwell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County, specifically Section 29-267(c) to prohibit parking on Monument Circle at all times"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 99, 1977. Introduced by Councilmen Pearce and Miller. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving the actions of the Transportation Board with respect to certain capital improvements within the Metropolitan Thoroughfare for the year 1977"; and the President referred it to the Transportation Committee.

## MODIFICATIONS OF SPECIAL ORDERS

The President called for any business to be heard under Modifications of Special Orders.

Mrs. Brinkman made the following motion:

### CITY—COUNTY COUNCIL MOTION

**Mr. President:**

**I move that the rules of the Council on preparation and introduction of proposals be suspended to allow the introduction of the attached Proposal No. 101, 1977.**

**Joyce Brinkman**

The motion was seconded by Mr. Schneider and passed by unanimous voice vote. Proposal No. 101, 1977, was 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 fifty-eight thousand eight hundred seventy-nine dollars and twenty-one cents (\$158,879.21) in the County General Fund for purposes of the County Clerk, Cooperative Extension Service, and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund"; and the President referred it to the County and Townships Committee.

Mr. West made the following motion:

### CITY—COUNTY COUNCIL MOTION

**Mr. President:**

**I move that the rules of the Council on preparation and introduction of proposals be suspended to allow the introduction of the attached Proposal No. 102, 1977.**

**Stephen R. West**

The motion was seconded by Mrs. Brinkman and passed by unanimous voice vote. Proposal No. 102, 1977, was 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 thirty-six thousand one hundred nine dollars and four cents (\$36,109.04) in the County General Fund for purposes of the Marion County Prosecutor and Criminal Probation Department 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.

Mr. Dowden made the following motion:

### CITY—COUNTY COUNCIL MOTION

**Mr. President:**

**I move that the rules of the Council on preparation and introduction of proposals be suspended to allow the introduction of the attached Proposal No. 103, 1977.**

**William A. Dowden**

The motion was seconded by Mrs. Journey and passed by unanimous voice vote. Proposal No. 103, 1977, was 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 three hundred one thousand five hundred ninety-nine dollars and ninety-eight cents (\$301,599.98) in the County Welfare Fund for purposes of the County Department of Public Welfare and reducing the unappropriated and unencumbered balance in the County Welfare Fund"; and the President referred it to the Community Affairs Committee.

**SPECIAL ORDERS—PUBLIC HEARING**

The President called for any business to be heard under Special Orders—Public Hearing.

**PROPOSAL NO. 76, 1977.** The Council recessed to a Committee of the Whole at 7:25 p.m., during which time Mr. Don Christensen commented that the passage of this proposal would mean a 69% increase in the budget. The Council reconvened at 7:26 p.m. Following public hearing and discussion, Mr. Clark moved, seconded by Mrs. Brinkman, to adopt Proposal No. 76, 1977. The motion carried on the following roll call vote; viz:

**22 AYES:** Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.

**1 NO:** Mr. Anderson.

**3 NOT VOTING:** Mrs. Coughenour, Mr. McPherson and Mr. West.

Proposal No. 76, 1977, was retitled **FISCAL ORDINANCE NO. 24, 1977**, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 24, 1977**

**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 the Department of Administration 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 expenses of establishing an employees credit union.

**SECTION 2.** The sum of five thousand dollars (\$5,000.00) 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:

<b>DEPARTMENT OF ADMINISTRATION</b>		
<b>OFFICE OF THE DIRECTOR</b>		
25. Current Obligations		<b>CITY GENERAL FUND</b>
		\$ 5,000.00
<b>TOTAL INCREASES</b>		\$ 5,000.00

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

<b>CITY GENERAL FUND</b>	
Unappropriated and Unencumbered	
City General Fund	\$ 5,000.00
<b>TOTAL REDUCTIONS</b>	\$ 5,000.00

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

PROPOSAL NO. 77, 1977. The Council recessed to a Committee of the Whole at 7:29 p.m., and reconvened at 7:30 p.m. Following public hearing and discussion, Mr. Clark moved, seconded by Mr. Campbell, to adopt Proposal No. 77, 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, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

1 NOT VOTING: Mr. Pearce.

Proposal No. 77, 1977, was retitled FISCAL ORDINANCE NO. 25, 1977, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 25, 1977**

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 Division of Employment and Training, Department of Administration, and reducing the unappropriated and unencumbered balance in the Manpower Federal Program Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 pursuant to a grant from Lilly Endowment.

SECTION 2. The sum of nineteen thousand dollars (\$19,000.00) 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 ADMINISTRATION	MANPOWER FEDERAL
DIVISION OF EMPLOYMENT AND TRAINING	PROGRAM FUND
21. Contractual Services	\$ 19,000.00
	<u>TOTAL INCREASES</u>
	\$ 19,000.00

SECTION 4. The said additional appropriations are funded by the following reductions:  
MANPOWER FEDERAL PROGRAM FUND

Unappropriated and Unencumbered	
Manpower Federal Program Fund	\$ 19,000.00
	<u>TOTAL REDUCTIONS</u>
	\$ 19,000.00

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 NO. 79, 1977. The Council recessed to a Committee of the Whole at 7:31 p.m., and reconvened at 7:32 p.m. Following public hearing and discussion, Mr. McPherson moved, seconded by Mr. Campbell, to postpone Proposal No. 79, 1977, until April 11, 1977. The motion carried by unanimous voice vote.

PROPOSAL NO. 82, 1977. The Council recessed to a Committee of the Whole at 7:34 p.m., during which time Mr. Don Christensen spoke, requesting that this proposal be returned to committee. The Council reconvened at 7:35 p.m. During discussion Mr. McPherson answered questions from several Councilpeople explaining that the funds appropriated in this proposal had been due Purdue since January 1, 1977. Following public hearing and discussion, Mr. McPherson moved, seconded by Mr. Gilmer, to adopt Proposal No. 82, 1977. The motion passed on the following roll call vote; viz:

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

1 NO: Mr. Hawkins.

1 NOT VOTING: Mr. Cantwell.

Proposal No. 82, 1977, was retitled FISCAL ORDINANCE NO. 26, 1977, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 26, 1977**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL 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.

**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 continuation of Advanced Wastewater Treatment Project.

SECTION 2. The sum of fifty-seven thousand one hundred eighty-nine dollars (\$57,189.00) 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**

**SANITATION DIVISION**

21. Contractual Services

**SANITARY DISTRICT FUND**

\$ 57,189.00

**TOTAL INCREASES** \$ 57,189.00

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

**SANITARY DISTRICT FUND**

**Unappropriated and Unencumbered**

Sanitary District Fund

\$ 57,189.00

**TOTAL REDUCTIONS** \$ 57,189.00

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

PROPOSAL NO. 84, 1977. The Council recessed to a Committee of the Whole at 7:39 p.m., and reconvened at 7:40 p.m. Following public hearing and discussion, Mr. Clark moved, seconded by Mr. Campbell, to adopt Proposal No. 84, 1977. The motion carried on the following roll call vote; viz:

20 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

6 NOES: Mr. Anderson, Mrs. Coughenour, Mr. Dowden, Mr. McPherson, Mr. Rippel and Mr. Schneider.

Proposal No. 84, 1977, was retitled FISCAL ORDINANCE NO. 27, 1977, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 27, 1977**

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 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.

**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 appropriating unexpended 1975 and 1976 Community Development Fund.

**SECTION 2.** The sum of four million fifty-three thousand ninety-seven dollars seventy-nine cents (\$4,053,097.79) 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 ADMINISTRATION		COMMUNITY SERVICES FUND
COMMUNITY SERVICES FUND		
21. Contractual Services		\$ 4,053,097.79
	<b>TOTAL INCREASES</b>	<b>\$ 4,053,097.79</b>

**SECTION 4.** The said additional appropriations are funded by the following reductions: COMMUNITY SERVICES FUND

Unappropriated and Unencumbered	
Community Services Fund	\$ 4,053,097.79
<b>TOTAL REDUCTIONS</b>	<b>\$ 4,053,097.79</b>

**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.

**SPECIAL ORDERS-UNFINISHED BUSINESS**

The Chair called for proposals to be heard under Special Orders-Unfinished Business.

PROPOSAL NO. 259, 1976. Following discussion, Mr. Durnil moved, seconded by Mr. Miller to amend Proposal No. 259, 1976, as follows:

**CITY-COUNTY COUNCIL MOTION**

Mr. President:

I move to strike Proposal No. 259, 1976, as introduced and substitute therefor, the draft entitled:  
Proposal No. 259, 1976, Committee Recommendation.

Allen Durnil

The motion carried by unanimous voice vote.

Following further discussion, Mr. Durnil moved, seconded by Mr. Walters, to adopt Proposal No. 259, 1976, As Amended. The motion passed on the following roll call vote:  
viz:



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

2 NOES: Mr. Rippel and Mr. Tintera.

2 NOT VOTING: Mr. Cantwell and Mr. Gilmer.

Proposal No. 259, 1976, As Amended, was retitled GENERAL RESOLUTION NO. 9, 1977, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 1977

A PROPOSAL FOR A GENERAL RESOLUTION approving the 1977 Capital Expenditure Plan/Program for Marion County, the Consolidated City of Indianapolis, certain other municipal corporations located in Marion County, and certain agencies of the judiciary of Marion County, whose budgets are subject to review by the City-County Council, restricting capital expenditure for 1977 to those items and improvements listed in said Capital Expenditure Budget or added thereto by amendment, and establishing procedures for amendment of said Capital Expenditure Plan.

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

SECTION 1. The City-County Council does hereby approve the 1977 Capital Expenditure Plan/Program (Exhibit A), and incorporates therein Council Committee Reports (Exhibit B), for the City of Indianapolis and Marion County and for those governmental agencies the budgeting or financing of which is subject to review by the City-County Council; said 1977 Capital Expenditure Plan/Program being the documents attached hereto marked Exhibit A and B and incorporated into this resolution by reference.

SECTION 2. This Resolution shall establish capital expenditure policy for "capital improvements" (capital improvements being defined as stated on page 20 of Exhibit A) to be adhered to by the City-County Council during 1977 in accordance with priority assignments established for capital items and capital improvements in Council Committee Reports (Exhibit B), to include the report of the Council as a Committee of the Whole.

SECTION 3. Officials and agencies subject to this resolution are authorized to make expenditures and encumbrances after January 1, 1977, for capital improvements only as listed in the 1977 Capital Expenditure Plan/Program, in this or amended version of said documents. Such expenditures will be made in cognizance of priority assignments established for capital improvements in Council Committee Reports (Exhibit B), to include the report of the Council as a committee of the Whole, and shall reflect such priority assignments insofar as feasible within the constraints and opportunities of diverse local, state, and federal funding sources, schedules, and conditions.

SECTION 4. Subsequent to adoption of this resolution by the City-County Council, any and all fiscal or budget ordinances proposed for adoption by the City-County Council shall contain a section to be inserted in such fiscal or budget ordinances during Council Committee hearings on said ordinances which shall read in one of two manners, as appropriate, either: "This ordinance will affect the 1977 Capital Expenditure Plan/Program by changing the description, funding or method of financing of capital items or capital improvements of the (the blank to be completed with the name or names of appropriate agencies)", or "This ordinance does not affect the 1977 Capital Expenditure Plan/Program". One copy of each and all of said proposed fiscal or budget ordinances designated by any Council Committee in this manner as potentially affect the 1977 Capital Expenditure Plan/Program shall be forwarded to the Division of Planning and Zoning of the Department of Metropolitan Development by the Clerk of the City-County Council when such proposal is reported out of Committee. The said copy of said proposed fiscal or budget ordinance shall be delivered to the Division, Attn: Capital Programming Planner, Room 2001 City-County Building.

SECTION 5. Amendment of the 1977 Capital Expenditure Plan/Program shall be initiated with execution of the "Notification of Proposed Capital Improvement or Construction" form. A completed set of said form will be delivered to the Division of Planning and Zoning by the submitting agency for each amendment to the 1977 Capital Expenditure Plan/Program, with one copy forwarded by the Division of Planning and Zoning to the Budget Analysis staff of the City-County Council for a determination of need for Council action.

SECTION 6. Notwithstanding any other provision of this resolution, any capital item or capital improvement approved, but not funded in a prior year, shall not be considered approved for future years unless contained in a subsequent Capital Expenditure Plan/Program.

**SECTION 7.** The Division of Planning and Zoning shall begin preparation of the 1978 Capital Expenditure Plan/Program, as such document shall be known by this or similar title, in the first quarter of 1977 for subsequent presentation to the City-County Council prior to June 30, 1977. Preparation of the document will require and shall receive full cooperation of all governmental agencies involved. The Division of Planning and Zoning and the Office of the Controller are directed to seek, recommend and implement a closer connection in 1977 and subsequent years between the Capital Expenditure Plan and the Annual Budget and Work Program.

**SECTION 8.** This Resolution shall be in full force and effect from and after adoption and approval by the Mayor.

[Clerk's Note: Due to the length of Exhibits, they are omitted from the Journal.]

PROPOSAL NO. 59, 1977. Following discussion, during which time Mr. Gilmer explained that the money appropriated was for architectural and engineering studies and Mr. Cantwell stated that he felt this proposal required the wrong use of bonding power, Mr. Gilmer moved, seconded by Mr. Clark, to adopt Proposal No. 59, 1977. The motion passed on the following roll call vote; viz:

17 AYES: *Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.*

9 NOES: *Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mrs. Journey, Mr. Schneider, Mr. Vollmer and Mr. Walters.*

Proposal No. 59, 1977, was retitled FISCAL ORDINANCE NO. 28, 1977, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 28, 1977**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating three hundred fifty thousand dollars (\$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.

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 6 of the City-County Annual Budget for 1976, be, and hereby, amended by the increases and reductions hereinafter stated for the purposes of design fees and disclosure data on proposed on bond issue.

**SECTION 2.** The sum of three hundred and fifty thousand dollars (\$350,000.00) 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:

<b>DEPARTMENT OF PARKS &amp; RECREATION</b>	<b>PARK DISTRICT FUND</b>
21. Contractual Services	\$ 350,000.00
<b>TOTAL INCREASES</b>	<b>\$ 350,000.00</b>

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

<b>DEPARTMENT OF PARKS &amp; RECREATION</b>	<b>PARK DISTRICT FUND</b>
10. Personal Services	\$ 350,000.00
<b>TOTAL REDUCTIONS</b>	<b>\$ 350,000.00</b>

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

**SPECIAL ORDERS-FINAL ADOPTION**

PROPOSAL NO. 70, 1977. Following discussion Mr. Durnil moved, seconded by Mrs. Journey, to amend Proposal No. 70, 1977, by striking Proposal No. 70, 1977, as introduced and substituting therefor, the draft entitled: Proposal No. 70, 1977, Committee Report. The motion carried by unanimous voice vote.

Mr. Durnil then moved, and the motion was duly seconded, to amend Proposal No. 70, 1977, As Amended, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 70, 1977, as follows:  
Insert the underlined words in Section 8-202 (12).

(12) The partnership presently has a partner or the corporation presently has an officer who, within the previous 365 days, served as a partner in a partnership or an officer in a corporation licensed under this division at ~~the~~ a time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than 365 days or a determination made of ineligibility for receipt of a successor license, or

s/Allen Durnil

The motion carried by unanimous voice vote.

Following further discussion, Mr. Tintera moved, seconded by Mrs. Brinkman, to postpone Proposal No. 70, 1977, As Amended, until the next Council meeting, April 11, 1977. The motion failed on the following roll call vote; viz:

11 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mr. Dowden, Mr. Hawkins, Mr. Kimbell, Mr. Schneider, Mr. SerVaas, Mr. Tinder and Mr. Tintera.

15 NOES: Mr. Anderson, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Vollmer, Mr. Walters and Mr. West.

After more discussion, Mr. Durnil moved, and the motion was duly seconded, to adopt Proposal No. 70, 1977, As Amended. The motion passed 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, Mr. McPherson, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

4 NOT VOTING: Mr. Dowden, Mr. Gorham, Mr. Tinder, and Mr. Tintera.

Proposal No. 70, 1977, As Amended, was retitled GENERAL ORDINANCE NO. 17, 1977.

[Clerk's Note: Due to the length of Proposal No. 70, 1977, it is not inserted as a part of these minutes, but a copy can be obtained in the City Clerk's Office.]

PROPOSAL NO. 78, 1977. Following discussion, during which Mr. Vollmer spoke, Mr. Dowden moved, seconded by Mr. Clark, to adopt Proposal No. 78, 1977. The motion passed 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, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

2 NOES: Mr. Miller and Mr. Schneider.

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

Proposal No. 78, 1977, was retitled GENERAL RESOLUTION NO. 10, 1977, and reads as follows:

**CITY—COUNTY GENERAL RESOLUTION NO. 10, 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
Health Services	\$986,250.00	Apr. 1, 1977—Dec. 31, 1977

SECTION 2. Expenditures authorized in Section 1 of this Resolution which are incurred between April 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. 41, 1977. Following discussion, Mr. Tinder moved, seconded by Mr. Schneider, to amend Proposal No 41, 1977, as follows:

**CITY—COUNTY COUNCIL MOTION**

Mr. President:

I move to strike Proposal No. 41, 1977, as introduced and substitute therefor, the draft entitled:  
Proposal No. 41, 1977, Committee Recommendation.

s/John G. Tinder

Following further discussion, Mr. Tinder moved, and the motion was duly seconded, to adopt Proposal No. 41, 1977, As Amended. The motion passed on the following roll call vote; viz:

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

NO NOES.

5 NOT VOTING: Mr. Cantwell, Mr. Dowden, Mr. Miller, Mr. Rippel, and Mr. Schneider.

Proposal No. 41, 1977, As Amended, was retitled GENERAL ORDINANCE NO. 18, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 18, 1977

A GENERAL ORDINANCE amending the rules of the Council with respect to announcing committee recommendations. [Amends Code Section 2-111(6).]

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

SECTION 1. Chapter 2 of the Code of Indianapolis and Marion County, specifically Section 2-111(6) be, and the same is, hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

Sec. 2-111(6). When the president has stated a question on final adoption, he shall call upon the clerk or the chairman of the committee to which the matter was referred to announce the committee recommendations. The president shall then recognize the chairman of the committee to which the proposal was referred and the member of the city-county council introducing the proposal, if there is one. However, if the chairman has voted with the minority on the proposal in committee meeting, he/she shall select a member of the committee who voted with the majority on the proposal to announce the committee recommendations. After the committee recommendations have been announced and after the sponsoring council member has spoken or declined to speak, any member of the city-county council may be recognized for debate or any other matter in order. If the committee has recommended that the proposal be amended, the chairman or the designee shall move the amendment and the amendment shall be disposed of before further debate occurs, except as to the amendment. ~~IT IS HEREBY ORDERED THAT ANY COUNCIL MEMBER WHO HAS VOTED WITH THE MAJORITY ON THE PROPOSAL TO ANNOUNCE THE COMMITTEE RECOMMENDATIONS SHALL BE RECOGNIZED TO SPEAK FIRST AND THEN THE CHAIRMAN OF THE COMMITTEE TO WHICH THE MATTER WAS REFERRED.~~

PROPOSAL NO. 42, 1977. Following discussion, during which Mr. Tinder stated that the City needed more time to check into other alternatives besides stopping payment on the Century Building, Mr. Tinder moved, seconded by Mr. Kimbell, to table Proposal No. 42, 1977. The motion carried by unanimous voice vote.

PROPOSAL NO. 83, 1977. Following discussion, Mr. McPherson moved, and the motion was duly seconded, to adopt Proposal No. 83, 1977. 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. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.
- NO NOES.
- 3 NOT VOTING: Mr. Dowden, Mr. Hawkins and Mr. Rippel.

Proposal No. 83, 1977, was retitled FISCAL ORDINANCE NO. 29, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 29, 1977

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 (\$2,500.00) in the City General Fund for purposes of Administration Division, Department of Public Works, 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 6 of the City-County Annual Budget for 1976, be, and is hereby, amended by the increases and reductions hereinafter stated for the purpose of developing a real estate master file.

SECTION 2. The sum of two thousand five hundred (\$2,500.00) 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:

DEPARTMENT OF PUBLIC WORKS	
ADMINISTRATIVE DIVISION	
21. Contractual Services	CITY GENERAL FUND \$ 2,500.00
TOTAL INCREASES	\$ 2,500.00

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

DEPARTMENT OF PUBLIC WORKS	
ADMINISTRATIVE DIVISION	
22. Supplies	CITY GENERAL FUND \$ 2,500.00
TOTAL REDUCTIONS	\$ 2,500.00

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

PROPOSAL NOS. 87-94, 1977. No action was taken on Proposal Nos. 87-94, 1977, and they were retitled REZONING ORDINANCE NOS. 35-42, 1977, and read as follows:

REZONING ORDINANCE NO. 35, 1977. 76-Z-133 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
3101 WEST SOUTHPORT ROAD, INDIANAPOLIS  
Martin Marietta Corp. & Donovan & Angelena Hapgood by Bruce R. Karr, Attorney, 1313 Merchants Bank Building request rezoning of approximately 175 acres, being in A-2 district, to SU-23 classification to permit permanent gravel and sand processing plants and stockpiling.

REZONING ORDINANCE NO. 36, 1977. 76-Z-134 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
3101 WEST SOUTHPORT ROAD, INDIANAPOLIS  
Martin Marietta Corp. & Donovan & Angelena Hapgood by Bruce R. Karr, Attorney, 1313 Merchants Bank Building request rezoning of approximately 175 acres, being in A-2 district, to G S B secondary classification to permit excavating of gravel, sand and barrow.

REZONING ORDINANCE NO. 37, 1977. 77-Z-17 WASHINGTON TOWNSHIP,  
COUNCILMANIC DISTRICT NO. 2  
7551 DITCH ROAD, INDIANAPOLIS  
Delaware Trails Development Co., Inc. by William F. LeMond, Attorney, 600 Union Federal Building requests rezoning of 8.02 acres, being in D-2 district to D-6 classification to permit multi-family dwellings.

REZONING ORDINANCE NO. 38, 1977. 77-Z-43 PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1  
9301 NORTHWESTERN AVENUE, INDIANAPOLIS  
College Park Corporation by William F. LeMond, Attorney, 600 Union Federal Building requests rezoning of 8.15 acres, being in C-2 district, to C-6 classification to permit a motel hotel and restaurant development.

REZONING ORDINANCE NO. 39, 1977. 77-Z-22 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
8902 SOUTH SHERMAN DRIVE, INDIANAPOLIS  
White Harvest Church of God by Reverend Forrest Riley, P. O. Box 624 Greenwood, Indiana requests rezoning of 3.99 acres, being in A-2 district, to SU-1 classification to permit a church and church related uses.

REZONING ORDINANCE NO. 40, 1977. 77-Z-23 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
3801 SOUTH FRANKLIN ROAD, INDIANAPOLIS  
Bill Duncan, Eugene L. Henderson & Robert L. Pritchard by Robert T. Wildman, Attorney, One Indiana Square No. 2450 request rezoning of 20.58 acres, being in A-2 district, to D-6 II classification to permit multi-family dwellings.

REZONING ORDINANCE NO. 41, 1977. 77-Z-24 FRANKLIN TOWNSHIP,  
COUNCILMANIC DISTRICT NO. 13  
3802 SOUTH POST ROAD, INDIANAPOLIS  
Bill C. Duncan, Eugene L. Henderson & Robert L. Pritchard by Robert T. Wildman, Attorney, One Indiana Square No. 2450 request rezoning of 17.00 acres, being in A-2 district, to C-5 classification to permit commercial development.

REZONING ORDINANCE NO. 42, 1977. 77-Z-27 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 12  
3340 NORTH GERMAN CHURCH ROAD, INDIANAPOLIS  
Bel-East Little League by Allan E. Rummel, President, requests rezoning of 13.17 acres, being in A-2 district, to SU-28 classification to permit the construction of Little League baseball diamonds, as per plans filed.

UNFINISHED BUSINESS

PROPOSAL NO. 67, 1977. Mr. Gilmer announced a joint meeting of the Public Works Committee and the Parks and Recreation Committee to be held Thursday, April 21, 1977, at 4:00 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and after motion duly made and seconded, the meeting adjourned at 8:26 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 28th 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)