

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
SPECIAL MEETING
Monday, April 11, 1977**

A Special Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:15 p.m., Monday, April 11, 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. 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.

ABSENT: Mr. Gorham and Mr. Kimbell.

The Chair excused Mr. Kimbell since he was out of town.

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, April 11, 1977, at 7:00 p.m., the purpose 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 28, 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 30, 1977

REVISED MEMO
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 News on March 31, 1977, and April 7, 1977, and in the Indianapolis Commercial on April 1, 1977, and April 7, 1977, a *Notice to Taxpayers* on Proposal Nos. 95, 96, 97, 101, 102, and 103, 1977, for a Public Hearing to be held on Monday, April 11, 1977, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

March 30, 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:

FISCAL ORDINANCE NO. 24, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$5,000 in the City General Fund for purposes of the Department of Administration and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 25, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$19,000 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.

FISCAL ORDINANCE NO. 26, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$57,189 in the Sanitary District Fund for purposes of the Sanitation Division, Department of Public Works and reducing the unappropriated and unencumbered balance in the Sanitary District Fund.

FISCAL ORDINANCE NO. 27, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$4,053,097.79 in the Community Services Fund for purposes of the Community Services Division, Department of Administration, and reducing the unappropriated and unencumbered balance in the Community Services Fund.

FISCAL ORDINANCE NO. 28, 1977 amending the City-County Annual Budget for 1977 and transferring and appropriating \$350,000 in the Park District Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that department.

FISCAL ORDINANCE NO. 29, 1977 amending the City-County Annual Budget for 1977 and transferring and appropriating \$2,500 in the City General Fund for purposes of the Administrative Division, Department of Public Works, and reducing certain other appropriations for that department.

GENERAL RESOLUTION NO. 9, 1977 approving the 1977 Capital Expenditure Budget/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.

GENERAL RESOLUTION NO. 10, 1977 authorizing allocation and expenditures of Housing and Community Development Act of 1976 grants for calendar year 1977.

GENERAL ORDINANCE NO. 17, 1977 amending the Code of Indianapolis and Marion County, 1975, Chapter 8 by amending Articles I, II, IV, and V, concerning issuance of building permits, examinations, licensure and investigations; penalties for non-compliance, 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 small sign inspections.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

April 7, 1977

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Star on April 4, 1977, a Notice of Execution of City-County Building additional site lease by the County of Marion and the City of Indianapolis.

Respectfully,

s/Beverly S. Rippy
City Clerk

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 104, 1977. Introduced by Councilman SerVaas. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance repealing Section 7 of the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976, as amended) amending Section 19 of said budget, and adopting a new budget for expenses of Marion County Government and institutions for the remainder of Calendar year 1977 to be paid out of the County General Fund and approving the means of finance thereof"; and the President referred it to the Criminal Justice & Public Safety and County & Townships Committees.

PROPOSAL NO. 105, 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 two thousand three hundred and fifty dollars (\$2,350.00) in the Reassessment Fund for purposes of the Perry Township Assessor and reducing certain other appropriations for that department"; and the President referred it to the County & Townships Committee.

PROPOSAL NO. 106, 1977. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 83, 1976, as amended) and appropriating an additional three thousand three hundred eighty-two dollars (\$3,382.00) in the Crime Control Fund for purposes of County Sheriff and reducing the unappropriated and unencumbered balance in the Crime Control Fund"; and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 107, 1977. Introduced by Councilman Tinder. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the rules of the Council to establish procedures for hearings on Rezoning Ordinances. [Amends Code Section 2-112.]"; and the President referred it to the Rules and Policy Committee.

SPECIAL ORDERS—PUBLIC HEARING

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

PROPOSAL NO. 597, 1976. After motion duly made and seconded, Proposal No. 597, 1976, was postponed until April 25, 1977.

PROPOSAL NO. 79, 1977. The Council recessed to a Committee of the Whole at 7:40 p.m., and reconvened at 7:41 p.m. Following public hearing and discussion, Mr. McPherson moved, seconded by Mr. Campbell, to adopt Proposal No. 79, 1977. The motion carried on the following roll call vote; viz:

22 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. McPherson, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.

4 NOES: Mr. Miller, Mr. Rippel, Mr. Schneider and Mr. West.

1 NOT VOTING: Mrs. Brinkman.

Proposal No. 79, 1977, was retitled FISCAL ORDINANCE NO. 30, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 30, 1977

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.

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 additional sewer construction.

SECTION 2. The sum of one hundred eighty-three thousand one hundred sixty dollars (\$183,160.00) 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		SANITARY DISTRICT
21. Contractual Services		\$ 183,160.00
	TOTAL INCREASES	\$ 183,160.00

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

	SANITARY DISTRICT FUND
Unappropriated and Unencumbered	
Sanitary District Fund	\$ 183,160.00
TOTAL REDUCTIONS	\$ 183,160.00

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

PROPOSAL NO. 95, 1977. Mr. West explained that this proposal had been indefinitely postponed in committee. No public hearing was held.

PROPOSAL NO. 96, 1977. The Council recessed to a Committee of the Whole at 7:44 p.m. and reconvened at 7:45 p.m. Following public hearing and discussion during which Mr. David Hoppock, Director of Public Works, answered Council members' questions, Mr. McPherson moved, seconded by Mr. Tintera, to adopt Proposal No. 96, 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. 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.

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

Proposal No. 96, 1977, was retitled FISCAL ORDINANCE NO. 31, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 31, 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 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.

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 storm and sanitary sewer separation construction financed by a Federal Public Works Capital Development and Investment Act administered by the Economic Development Administration, Department of Commerce.

SECTION 2. The sum of four million one hundred twenty-five thousand six hundred dollars (\$4,125,600.00) 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

\$ 4,125,600.00

TOTAL INCREASES \$ 4,125,600.00

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

SANITARY DISTRICT FUND

Unappropriated and Unencumbered

Sanitary District Fund

\$ 4,125,600.00

TOTAL REDUCTIONS \$ 4,125,600.00

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. 97, 1977. The Council recessed to a Committee of the Whole at 7:46 p.m. and reconvened at 7:47 p.m. Following public hearing and discussion, Mr. Miller moved, seconded by Mr. Durnil, to adopt Proposal No. 97, 1977. The motion carried on the following roll call vote; viz:

26 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughnour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, 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.

NO NOES.

1 NOT VOTING: Mr. Cantwell.

Proposal No. 97, 1977, was retitled FISCAL ORDINANCE NO. 32, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 32, 1977

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.

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 as 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 confirming employment of certain persons for mile-square cleaning funded from a federal C.E.T.A. grant.

SECTION 2. The sum of one hundred sixty-six thousand three hundred eighty-eight dollars (\$166,388.00) 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 TRANSPORTATION	TRANSPORTATION FUND
10. Personal Services	\$ 147,216.00
24. Current Charges	10,560.00
25. Current Obligations	8,612.00
TOTAL INCREASES	\$ 166,388.00

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

Unappropriated and Unencumbered Transportation Fund	\$ 166,388.00
TOTAL REDUCTIONS	\$ 166,388.00

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. 101, 1977. After motion duly made and seconded, Proposal No. 101, 1977, was postponed until the meeting of April 25, 1977.

PROPOSAL NO. 102, 1977. The Council recessed to a Committee of the Whole at 7:50 p.m. during which time Mr. Don Christenson spoke against the passage of this proposal because it would increase the budget. The Council reconvened at 7:52 p.m. Following discussion, Mr. West moved, seconded by Mr. Miller, to amend Proposal No. 102, 1977, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 102, 1977, as follows:

Delete lines 2 and 3 of Section 3.

Delete in line 9 of Section 3 the figure "\$26,109.04" and insert in lieu thereof the figure "\$23,113.04."

Delete the figures "\$26,109.04" in lines 4 and 5 of Section 4 and insert in lieu thereof the figures "\$23,113.04."

Stephen West

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

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

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

Following further discussion during which Mr. Tinder spoke in favor of passage of this proposal as introduced, the motion was duly made and seconded to adopt Proposal No. 102, 1977. The motion passed on the following roll call vote; viz:

17 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.

9 NOES: Mrs. Brinkman, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Miller, Mr. Rippel, Mr. Schneider and Mr. West.

1 NOT VOTING: Miss Parker.

Proposal No. 102, 1977, was retitled FISCAL ORDINANCE NO. 33, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 33, 1977

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.

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 hereinafter stated for the purposes of additional employees from April 1, through September 30, 1977, financed by federal grants pursuant to the Comprehensive Employment and Training Act of 1973.

SECTION 2. The sum of thirty-six thousand one hundred nine dollars and four cents (\$36,109.04) 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:

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
10. Services Personal	\$ 12,996.00
CRIMINAL PROBATION DEPARTMENT	
10. Services Personal	19,908.00
MARION COUNTY AUDITOR	
24. Current Charges	1,280.16
25. Current Obligations	<u>1,924.88</u>
TOTAL INCREASES	\$ 36,109.04

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

Unappropriated and Unencumbered	COUNTY GENERAL FUND
County General Fund	\$ 36,109.04
TOTAL REDUCTIONS	\$ 36,109.04

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. 103, 1977. Following a brief discussion, Proposal No. 103, 1977, was postponed until the meeting of April 25, 1977.

SPECIAL ORDERS—UNFINISHED BUSINESS

The President called for proposals to be heard under Special Orders—Unfinished Business.

PROPOSAL NO. 81, 1977. Following discussion, the following amendments were adopted by the City-County Council by unanimous voice vote.

[Clerk's Note: Each of the following amendments were voted upon singly; however, for conciseness, they will be shown as a group in this journal].

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that Proposal No. 81, 1977, be amended as follows:

In Section 1, line 8, after the last word and before the period add "for an extended period of time (such as one year.)"

In Section 1, line 11, after "use" add "for a period of one calendar year from date of issue".

In Section 1, line 37, after "thereafter" add "or to revoke such permit prior to expiration".

In Section 1, line 5, after the comma after the word "employment" add the words "subject to such rules and regulations as the Department of Transportation may prescribe."

In Section 1, line 5, after the words "permitted" add the words "and not restricted."

In Section 1, line 14, after the period add a new sentence to read: "Such an application for parking at a place of employment shall include evidence of approval by the employer."

Donald W. Miller

Following further discussion, Mr. Miller moved, seconded by Mr. Howard, to amend Proposal No. 81, 1977, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 81, 1977, as follows:

Renumber Section 2 to Section 3 and insert a new Section 2 to read as follows:

SECTION TWO. Chapter 29 of the Code of Indianapolis and Marion County be, and is hereby, amended so as to make violation of Sec. 29-256.1 a class C offense under the traffic violations bureau procedure by adding a subparagraph (n) in paragraph (4) of section 29-41, to read as follows:

(n) violations of section 29-256.1 providing reserved parking for the physically handicapped.

Donald W. Miller

Mrs. Brinkman then introduced Mr. Jim Pauley from the Mayor's Advisory Council on Handicapped Citizens. The Chair gave Mr. Pauley permission to speak on the preceding amendment. Mr. Pauley opposed the adoption of the amendment because he felt that the proposal needed the inclusion of making a handicapped person's parking space a tow-away zone for any unauthorized automobile. Following further discussion, the motion carried on the following roll call vote; viz:

18 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Rippel, Mr. Schneider, Mr. SerVaas, and Mr. West.

9 NOES: Mr. Bayt, Mrs. Brinkman, Mr. Gilmer, Mr. Patterson, Mr. Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.

Mr. Miller then moved, seconded by Mr. Tintera, to adopt Proposal No. 81, 1977, As Amended. The motion carried on the following roll call vote; viz:

26 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, Mrs. Journey, 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.

NO NOES.

1 NOT VOTING: Mr. Howard.

Proposal No. 81, 1977, was retitled GENERAL ORDINANCE NO. 19, 1977, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 1977

A GENERAL ORDINANCE providing special parking privileges to certain^d handicapped persons, providing certain procedures for use of such privileges, fixing penalties for violations and amending Chapter 29 of the Code of Indianapolis and Marion County, Indiana.

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

SECTION ONE. Chapter 29 of the Code of Indianapolis and Marion County is amended by adding a new section numbered 29-256.1, which reads as follows:

29-256.1 (a) The Department of Transportation of the City of Indianapolis is hereby authorized and empowered to grant to physically handicapped persons the exclusive use of parking space adjacent to their residence and place of employment, subject to such rules and regulations as the Department of Transportation may prescribe in areas where such parking is otherwise permitted and not restricted, in the manner provided herein.

(b) "Physically handicapped person" as used in this ordinance means any person certified by a qualified physician to be disabled in a manner rendering it impossible or difficult and burdensome for him or her to walk for an extended period of time (such as one year).

(c) Any person eligible by virtue of a physical handicap for special privileges under this section shall present to the Department of Transportation a written application, on a form furnished by the Department, for a Permit entitling that person to the exclusive use for a period of one calendar year from date of issue of one (1) parking space adjacent to the applicant's place of residence and one (1) parking space adjacent to the applicant's place of employment, where applicable. Such application shall include a certificate by a qualified physician verifying that the applicant is a physically handicapped person as defined in this section. Such an application for parking at a place of employment shall include evidence of approval by the employer.

(d) Upon receipt of such written application, the Department of Transportation shall within a reasonable time grant or deny the permit so applied for, subject to the following conditions:

(1) No applicant shall be granted a permit for more than one (1) reserved space adjacent to his place of residence and one (1) reserved space adjacent to his place of employment.

(2) No applicant shall be granted a permit who has access to offstreet parking at his place of residence and place of employment; with the exception that the Department may in its discretion grant a permit to an applicant who is able to demonstrate that the location of such offstreet parking renders it unduly burdensome for him to utilize same.

(3) Each permit granted pursuant to the provisions of this section shall be assigned an identification number.

(e) Upon the grant of such permit, the Department of Transportation shall:

(1) Issue to the applicant a Reserved Space Permit with an identification number.

(2) Mark the space(s) reserved by distinctive painting on the curb.

(3) Install a sign restricting use of the space to the permit-holder only, which sign shall show thereon the holder's permit number.

(4) Upon request by the permit-holder, authorize construction of one (1) curb ramp within the reserved area, at the permit-holder's expense.

(f) From and after the granting of such permit, the permit-holder shall:

(1) Display the Reserved Space Permit in the windshield of any vehicle used by the permit-holder and parked in the reserved space.

(2) Promptly notify the Department of Transportation when he or she will no longer regularly use the parking space(s) allocated to the permit because of a change of residence or employment.

Any failure by a permit-holder to comply with the above requirements shall be grounds for refusal by the Department of Transportation to issue such a permit to such person thereafter, or to revoke such permit prior to expiration, or to make the issuance of further permits subject to reasonable conditions.

(g) Parking of a vehicle by any person in a space reserved hereunder without a visible permit showing such parking to be authorized shall be unlawful and shall subject the owner and driver of the vehicle so parked to the penalties provided for violations of this chapter.

SECTION TWO. Chapter 29 of the Code of Indianapolis and Marion County be, and is hereby, amended so as to make violation of Sec. 29-256.1 a class C offense under the traffic violations bureau procedure by adding a subparagraph (n) in paragraph (4) of section 29-41, to read as follows:

(n) violations of section 29-256.1 providing reserved parking for the physically handicapped.

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

PROPOSAL NO. 100, 1977. Following discussion, Mr. Tinder moved, seconded by Mr. Boyd, to adopt Proposal No. 100, 1977. The motion carried by unanimous voice vote.

Proposal No. 100, 1977, was retitled COUNCIL RESOLUTION NO. 9, 1977, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 1977

A PROPOSAL FOR A COUNCIL RESOLUTION confirming Board and Commission appointments effective April 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-Marion County Board of Ethics, the Council appoints:

Fred G. Johnston, Jr. — Two years ending March 31, 1979

William R. Simons — One year ending March 31, 1978

SECTION 2. The foregoing appointments shall be for terms of one (1) year or two (2) years as designated at the pleasure of the Council, and until their respective successors are appointed.

NEW BUSINESS

Mr. McPherson stated that the Public Works Committee recommended the reappointment of Mr. Walter Abell and Mr. Mortimer Present to the Air Pollution Control Board. Mr. Tintera requested that their reappointments be postponed until the meeting of April 25, 1977, so that he could call each one and ask them a question. The Chair consented.

Mr. West requested that the auditor provide the Council with the previous year's accounting figures so that the Council, the Council Staff, and the Auditor could more easily work together in reducing the budget as submitted in Proposal No. 104, 1977.

Also in regards to Proposal No. 104, 1977, Councilman Vollmer asked Mr. Richard Payne, Financial Analyst, City-County Council Staff, why the budget had been reduced almost a million dollars more than the State Board of Accounts had instructed. Mr. Payne stated it was necessary in order to balance the budget and offset the encumbrances from the prior year.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and after motion duly made and seconded, the meeting adjourned at 8:44 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 11th day of April, 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)