

CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA,  
SPECIAL MEETING  
Monday, April 25, 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, April 25, 1977, President SerVaas in the chair. Councilman George Anderson opened the meeting with a prayer followed by the Pledge of Allegiance.

ROLL CALL

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

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

*ABSENT: Mr. Gilmer.*

The Chair excused Mr. Gilmer.

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 25, 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 April 11, 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:

April 12, 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 April 14, 1977 and April 21, 1977, a *Notice to Taxpayers* on Proposal Nos. 104 and 106, 1977 for a Public Hearing to be held on Monday, April 25, 1977, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

April 12, 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. 30, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$183,160 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. 32, 1977 amending the City-County Annual Budget for 1977 and appropriating an additional \$166,388 in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation Fund.

GENERAL ORDINANCE NO. 19, 1977 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.

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

April 15, 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 April 19, 1977, and April 26, 1977, General Ordinance No. 19, 1977.

Respectfully,

s/Beverly S. Rippy  
City Clerk

#### INTRODUCTION OF GUESTS

Councilman Howard introduced Mr. Steve Warren, President of the Crispus Attucks Booster Club.

Councilman Bayt introduced Ms. Phyllis Nisky who is supervisor of the tour guides and pages of the Indiana Senate.

## INTRODUCTIONS OF PROPOSALS

PROPOSAL NO. 108, 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 eight thousand dollars (\$8,000.00) in the City General Fund for purposes of the Personnel Division, 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. 109, 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 one hundred fifty dollars (\$150.00) in the Reassessment Fund for purposes of the Lawrence Township Assessor and reducing certain other appropriations for that department"; and the President referred it to the County & Townships Committee.

PROPOSAL NO. 110, 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 fifty-two thousand dollars (\$152,000.00) in the Sanitary District Fund for purposes of Sanitary Division, Department of Public Works, and reducing the unappropriated and unencumbered balance in the Sanitary District Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 111, 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 \$471,540.39 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 NOS. 112-121, 1977. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for rezoning ordinances certified from the Metropolitan Plan Commission on April 21, 1977"; and the President referred it to the Committee of the Whole to be heard later in the meeting.

## SPECIAL ORDERS—PUBLIC HEARING

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

PROPOSAL NO. 597, 1976. Councilman Tinder presented the majority opinion of the Public Safety & Criminal Justice Committee. Following his report, Councilman West gave the minority opinion and moved, seconded by Mr. Tintera, to send Proposal No. 597, 1976, back to committee. The motion failed on the following roll call vote; viz:

10 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Miller, Miss Parker, Mr. Rippel, Mr. Tintera and Mr. West.

18 NOES: Mr. Anderson, Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mr. Gorham, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer and Mr. Walters.

The Council recessed to a Committee of the Whole at 7:29 p.m. during which time Mr. Don Christensen spoke against passage of Proposal No. 597, 1976, citing IC 17-3-12-2. The Council reconvened at 7:30 p.m. Following further discussion, Mr. West moved, seconded by Mrs. Brinkman to table Proposal No. 597, 1976. The motion failed on the following roll call vote; viz:

9 AYES: Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Miller, Miss Parker, Mr. Rippel, Mr. Tintera and Mr. West.

17 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Gorham, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, and Mr. Walters.

2 NOT VOTING Mr. Dowden and Mr. McPherson.

The Chair called the question on Proposal No. 597, 1976, and it passed on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gorham, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer and Mr. Walters.

6 NOES: Mrs. Brinkman, Mr. Clark, Mr. Miller, Mr. Rippel, Mr. Tintera and Mr. West.

Proposal No. 597, 1976, was retitled FISCAL ORDINANCE NO. 34, 1977, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 34, 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 dollars (\$36,000.00) in the County General Fund for purposes of the Marion County Jail and reducing the unappropriated and unencumbered balance in the County General Fund.

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of purchasing supplies for federal prisoners to be financed by federal reimbursement.

**SECTION 2.** The sum of thirty-six thousand dollars (\$36,000.00) 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:

MARION COUNTY JAIL	COUNTY GENERAL FUND
22. Supplies	\$ 36,000.00
<b>TOTAL INCREASE</b>	<b>\$ 36,000.00</b>

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

**COUNTY GENERAL FUND**

**Unappropriated and Unencumbered**

County General Fund	\$ 36,000.00
<b>TOTAL REDUCTIONS</b>	<b>\$ 36,000.00</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 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. 101, 1977.** The Council recessed to a Committee of the Whole at 7:34 p.m., and reconvened at 7:35 p.m. Following public hearing and discussion, the Chair called the question on Proposal No. 101, 1977, and it passed on the following roll call vote; viz:

**27 AYES:** Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gorham, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. 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. McPherson.

Proposal No. 101, 1977, was retitled **FISCAL ORDINANCE NO. 35, 1977**, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 35, 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 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.

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of additional 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 one hundred fifty-eight thousand eight hundred seventy-nine dollars and twenty-one cents (\$158,879.21) 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:

COOPERATIVE EXTENSION SERVICE	COUNTY GENERAL FUND
10. Services Personal	\$ 96,852.00
<b>COUNTY CLERK</b>	
10. Services Personal	36,540.00
<b>COUNTY AUDITOR</b>	
10. Services Personal	9,450.00
24. Current Charges	7,680.96
25. Current Obligations	8,356.25
<b>TOTAL INCREASES</b>	<b>\$ 158,879.21</b>

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

Unappropriated and Unencumbered	COUNTY GENERAL FUND
County General Fund	\$ 158,879.21
<b>TOTAL REDUCTIONS</b>	<b>\$ 158,879.21</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 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. Councilman Boyd presented the majority opinion. Following discussion, Mr. Boyd made the following motion:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to strike Proposal No. 103, 1977, as introduced and substitute therefor, the draft entitled:

Proposal No. 103, 1977, Committee Recommendations.

s/Councilman Boyd

The motion carried by unanimous voice vote.

The Council recessed to a Committee of the Whole at 7:36 p.m. and reconvened at 7:37 p.m. Following public hearing Mr. Dowden moved, seconded by Mr. Patterson, to amend Proposal No. 103, 1977, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 103, 1977, be amended as follows:

Section 1, Line 3, delete the words "September 30, 1977" and insert the words "December 31, 1977".

Section 2, Line 1, delete the words "three hundred one thousand five hundred ninety-nine dollars and ninety-eight cents" and insert the words "one hundred sixty-four thousand two hundred seventeen dollars."

Section 3, Line 4, delete the figures "257,820.00" and insert the figures "122,176.00".

Section 3, Line 5, delete the figures "15,684.00" and insert the figures "23,526.00".

Section 3, Line 6, delete the figures "22,660.00" and insert the figures "18,515.00".

Section 3, Line 7, delete the figures "296,164.00" and insert the figures "164,217.00".

Section 4, Line 4, delete the figures "296,164.00" and insert the figures "164,217.00".

Section 4, Line 5, delete the figures "296,164.00" and insert the figures "164,217.00".

s/W. A. Dowden

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

17 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Dumil, Mr. Gorham, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.

9 NOES: Mr. Bayt, Mr. Boyd, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Miss Parker and Mr. Vollmer.

2 NOT VOTING: Mr. Campbell and Mr. Walters.

The Chair called Miss Elizabeth Samkowski, Director of the Marion County Department of Public Welfare, to answer questions concerning the funding of the Department of Public Welfare. Miss Samkowski stated that 32 employees would have to be let go if the funding was cut.

Following discussion, the motion was duly made and seconded to adopt Proposal No. 103, 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. Gorham, 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.

2 NOES: Mr. Hawkins and Mr. Howard.

Proposal No. 103, 1977, As Amended, was retitled FISCAL ORDINANCE NO. 36, 1977, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 36, 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-four thousand two hundred seventeen dollars (\$164,217.00) 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.

**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 10 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of additional employees from April 1, through December 31, 1977, financed by a federal grant pursuant to the Comprehensive Employment and Training Act of 1973.

SECTION 2. The sum of one hundred sixty-four thousand two hundred seventeen dollars (\$164,217.00) 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>COUNTY DEPARTMENT OF PUBLIC WELFARE</b>		<b>COUNTY WELFARE FUND</b>
10.	Services Personal	\$ 122,176.00
10.	Services Personal (Guardian Home)	23,526.00
24.	Current Charges (Part II)	18,515.00
	<b>TOTAL INCREASES</b>	<b>\$ 164,217.00</b>

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

<b>COUNTY WELFARE FUNDS</b>	
Unappropriated and Unencumbered	
County Welfare Fund	\$ 164,217.00
<b>TOTAL REDUCTIONS</b>	<b>\$ 164,217.00</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 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. 104, 1977. By consent, the Chair postponed this proposal until the Council meeting of May 23, 1977.

PROPOSAL NO. 106, 1977. The Council recessed to a Committee of the Whole at 8:09 p.m. and reconvened at 8:10 p.m. Following public hearing and discussion, the motion was duly made and seconded to adopt Proposal No. 106, 1977. The motion carried on the following roll call vote; viz:

21 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dumil, Mr. Gorham, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

1 NO: Mr. Anderson.

6 NOT VOTING: Mr. Bayt, Mr. Dowden, Mr. Howard, Mr. Miller, Mr. Schneider, and Mr. Walters.

Proposal No. 106, 1977, was retitled FISCAL ORDINANCE NO. 37, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (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.

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 a training program for the County Sheriff financed by L.E.A.A. Grant No. 76C-E01-15-075.

SECTION 2. The sum of three thousand three hundred eighty-two dollars (\$3,382.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:	
COUNTY JAIL	CRIME CONTROL FUND
33. Travel	\$ 1,487.00
35. Operating Expenses	1,895.00
TOTAL INCREASES	<u>\$ 3,382.00</u>

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

CRIME CONTROL FUND	
Unappropriated and Unencumbered Crime Control Fund	\$ 3,382.00
TOTAL REDUCTIONS	<u>\$ 3,382.00</u>

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.

SPECIAL ORDERS-FINAL ADOPTION

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

PROPOSAL NO. 85, 1977. Following discussion, the motion was duly made and seconded to adopt Proposal No. 85, 1977. The motion carried on the following roll call vote; viz:

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

NO NOES.

4 NOT VOTING: Mr. Bayt, Mr. Howard, Mr. Walters and Mr. West.

Proposal No. 85, 1977, was retitled FISCAL ORDINANCE NO. 38, 1977, and reads as follows:



CITY—COUNTY FISCAL ORDINANCE NO. 38, 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 dollars (\$350.00) in the County General Fund for purposes of Pike Township Assessor 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 1976, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of purchasing additional filing cabinets.

SECTION 2. The sum of three hundred fifty dollars (\$350.00) 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 appropriations are hereby approved:

PIKE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
50. Properties	\$ 350.00
TOTAL INCREASES	\$ 350.00

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

PIKE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
22. Supplies	\$ 350.00
TOTAL REDUCTIONS	\$ 350.00

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

PROPOSAL NO. 105, 1977. Following discussion, Mr. Schneider moved, seconded by Mr. Tintera, to adopt Proposal No. 105, 1977. The motion carried on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dumil, Mr. Gorham, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

NO NOES.

6 NOT VOTING: Mr. Bayt, Mr. Cantwell, Mr. Dowden, Mr. Howard, Mr. Patterson and Mr. Walters.

Proposal No. 105, 1977, was retitled FISCAL ORDINANCE NO. 39, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 39, 1977

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 fifty dollars (\$2,350.00) in the Reassessment Fund for purposes of the Perry Township Assessor 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 7A of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of allowing changes in operational plans of such office.

SECTION 2. The sum of two thousand three hundred fifty dollars (\$2,350.00) 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:

PERRY TOWNSHIP ASSESSOR	REASSESSMENT FUND
21. Contractual Services	\$ 850.00
50. Properties	1,500.00
TOTAL INCREASES	\$ 2,350.00

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

PERRY TOWNSHIP ASSESSOR	REASSESSMENT FUND
24. Current Charges	\$ 2,350.00
TOTAL REDUCTIONS	\$ 2,350.00

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

PROPOSAL NO. 80, 1977. Following the committee report and discussion, Mrs. Brinkman moved, seconded by Mrs. Coughenour, to amend Proposal No. 80, 1977 as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 80, 1977, be amended as follows:  
In Section 3, line 1, after the colon (:) add the words "the Mayor and" and after the word "appointed" strike the words "and elected."

s/Joyce Brinkman

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

10 AYES: Mrs. Brinkman, Mrs. Coughenour, Mr. Gorham, Mr. Kimbell, Mr. Miller, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.

16 NOES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. Vollmer and Mr. Walters.

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

Following further discussion, during which time Mr. Fred Armstrong stated that PERF is an additional employee benefit and Mr. Robert Elrod informed the Council that PERF is not tax deductible, Mr. Clark moved to amend Proposal No. 80, 1977, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 80, 1977, be amended as follows:  
In Section 3, line 1, after the word "officials" insert the words "and employees".  
In Section 5, strike the words "Marion County" and insert in lieu thereof the words "the City of Indianapolis."

s/Richard F. Clark

The motion passed by unanimous voice vote, and the question was called on Proposal No. 80, 1977, As Amended. The proposal was adopted on the following roll call vote; viz:

23 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gorham, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

3 NOES: Mr. Dowden, Mr. Kimbell, and Mr. Tinder.

2 NOT VOTING: Mr. Anderson and Mr. Rippel.

Proposal No. 80, 1977, As Amended, was retitled SPECIAL RESOLUTION NO. 5, 1977, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 5, 1977

A SPECIAL RESOLUTION authorizing certain employees of the City of Indianapolis to join the Public Employees' Retirement Fund.

WHEREAS, the City-County Council of Indianapolis and of Marion County is the governing body of the City of Indianapolis, in the State of Indiana; and

WHEREAS, the actuary for the Public Employees' Retirement Fund has furnished such governing body with certain cost estimates to become a participant in such Fund as established by the Acts of 1945, Chapter 340 and all Acts amendatory and supplemental thereto; and

WHEREAS, such governing body is fully cognizant that the percentage of cost of gross annual payroll of covered employees has been set at 7.0% by the actuary of the Fund, and that at five year intervals, or more often if directed by the Board of Trustees of the Public Employees' Retirement Fund, the actuary will review the status of the employees covered and shall adjust the cost percentage accordingly so that the Fund will remain on an actuarially sound basis; and

WHEREAS, such governing body acknowledges its liability and that, pursuant to law, it and its successors in office, must appropriate sufficient funds each year to retire the employees' prior service liability in an orderly manner and also fund the current costs accruing annually; now, therefore:

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

SECTION 1. City of Indianapolis elects for the employees specified in Section Three to become participants in the Public Employees Retirement Fund as established by the Acts of 1945, Chapter 340 and all Acts amendatory and supplemental thereto.

SECTION 2. City of Indianapolis agrees with respect to the employees specified in Section Three to make the required contributions under the Public Employees' Retirement Fund Act which is the Acts of 1945, Chapter 340, and all Acts amendatory thereof and supplemental thereto, including specifically the Acts of 1955, Chapter 329, commonly designated as "The Indiana Public Employees' Social Security Integration and Supplemental Retirement Benefits Act."

SECTION 3. The following are declared to be covered by the Fund: All full time appointed and elected officials and employees of the City of Indianapolis, not already covered by a state pension program excluding all part time, seasonal, work study, interns, temporary, or emergency employees.

SECTION 4. It is hereby declared that none of the classifications or positions specified in Section Three are compensated on a fee basis or of an emergency nature, or in a part-time category.

SECTION 5. The active participating membership of the City of Indianapolis shall begin on July 1, 1978.

SECTION 6. This Resolution shall be in full force and effect from date of passage and upon approval of the Board of Trustees of the Public Employees' Retirement Fund of Indiana, except that active participation membership shall begin on the date set forth in Section Five.

PROPOSAL NOS. 112-121, 1977. No action was taken on Proposal Nos. 112-121, 1977, and they were retitled REZONING ORDINANCES NOS. 43-52, 1977, and read as follows:

REZONING ORDINANCE NO. 43, 1977. 76-Z-45 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
8802 BROOKVILLE ROAD, INDIANAPOLIS

Dave Hockett by Thomas Michael Quinn, Jr., 120 East Market St. requests rezoning of 21.25 acres, being in I-4-S district, to C-5 classification to permit an auto auction center with off-street parking and permitted signs.

REZONING ORDINANCE NO. 44, 1977. 76-Z-175 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
10930 MCGREGOR ROAD, INDIANAPOLIS

Thomas R. Mutz and Jean Mutz Demlow by I-74 Baptist Church, 11011 Virgil Street by Robert L. Beecher, Billie F. Bowles, Ralph E. Hamilton and Charles O. Mitchell, Trustee, request rezoning of 8.69 acres, being in A-2 district, to SU-1 classification to permit church related uses.

REZONING ORDINANCE NO. 45, 1977. 77Z-29 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
802 WEST COUNTY LINE ROAD, INDIANAPOLIS

Grace Baptist Church by Edwin H. Hughes, III, Attorney, 6100 North Keystone Avenue requests rezoning of 10 acres, being in A-2 district, to SU-1 classification to permit construction of a church and related facilities.

REZONING ORDINANCE NO. 46, 1977. 77-Z-30 FRANKLIN TOWNSHIP,  
COUNCILMANIC DISTRICT NO. 13  
5200 PAPPAS DRIVE, INDIANAPOLIS  
Carson City, Inc. by John F. Smith, President, 2500 Glick St., Lafayette, Indiana requests rezoning of 9.15 acres, being in D-6 II district, to D-4 classification to permit residential use by platting.

REZONING ORDINANCE NO. 47, 1977. 77-Z-31 FRANKLIN TOWNSHIP,  
COUNCILMANIC DISTRICT NO. 13  
5202 PAPPAS DRIVE, INDIANAPOLIS  
Carson City, Inc. by John F. Smith, President, 2500 Glick St., Lafayette, Indiana requests rezoning of 15.00 acres, being in C-4 district, to D-6 II classification to permit multi-family development.

REZONING ORDINANCE NO. 48, 1977. 77-Z-32 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
5336 SHELBYVILLE ROAD, INDIANAPOLIS  
Lela M. Ramage by James C. Hilligoss, Attorney-in-fact, 2500 Glick St., Lafayette, Indiana requests rezoning of 28.40 acres, being in C-4 and D-7 districts, to D-4 classification to permit residential use by platting.

REZONING ORDINANCE NO. 49, 1977. 77-Z-34 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
5204 PAPPAS DRIVE, INDIANAPOLIS  
Pennmark Service Corporation by James C. Hilligoss, Agent, 2500 Glick St., Lafayette, Indiana requests rezoning of 4.36 acres, being in D-6 II district, to D-4 classification to permit residential use by platting.

REZONING ORDINANCE NO. 50, 1977. 77-Z-35 DECATUR TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
4600 WEST TROY AVENUE, INDIANAPOLIS  
Cloverleaf Developers, Inc. (formerly known as Cloverleaf Farms, Inc.) by J. C. Burris, Assistant Secretary, 322 Circle Tower Bldg. requests rezoning of 2.21 acres, being in C-3 district, to D-5 classification to permit construction of single family residences.

REZONING ORDINANCE NO. 51, 1977. 77-Z-36 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
817 SOUTH TIBBS AVENUE, INDIANAPOLIS  
Indiana National Bank, Executor of Lena M. Trost Estate by Joseph W. Harrick by Charles G. Castor, Attorney, One Indiana Square No. 2050 request rezoning of 8.09 acres, being in I-3-5 district, to C-7 classification to permit commercial use.

REZONING ORDINANCE NO. 52, 1977. 77-Z-46 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 18  
4702 ROCKVILLE ROAD, INDIANAPOLIS  
City of Indianapolis, Department of Parks & Recreation by Ray Crowe, Director, 1426 West 29th Street requests rezoning of 21.15 acres, being in D-6 II district, to PK-1 classification to permit a park.

## ANNOUNCEMENTS AND ADJOURNMENT

Councilman Howard announced a benefit basketball game between the Black Democrats and the Black Republicans to be held Sunday, May 1, 1977, 7:00 p.m., at the Fall Creek Y.M.C.A. A donation of \$2.00 will be collected.

Councilman Gorham announced his resignation effective May 6, 1977, due to pressing business matters.

President SerVaas stated that there would be a party in honor of Councilman Gorham immediately following the Council meeting at the Columbia Club.

There being no further business, and after motion duly made and seconded, the meeting adjourned at 9:52 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 25th 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)