

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, May 23, 1977**

Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:40 p.m., Monday, May 23, 1977, President SerVaas in the chair. Councilman Richard Clark opened the meeting with a prayer followed by the Pledge of Allegiance.

ROLL CALL

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

PRESENT: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, 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.*

CORRECTION OF JOURNAL

President SerVaas called for additions or corrections to the Journal of May 9, 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:

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 **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council chambers, on Monday, May 23, 1977, at 7:00 p.m., the purpose of such MEETING being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

s/Beurt SerVaas, President
City-County Council

May 10, 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 May 12, 1977, and May 19, 1977, a *Notice to Taxpayers* on Proposal Nos. 122, 123, 124, 125, 127, 131, 132, and 134, 1977, for a Public Hearing to be held on Monday, May 23, 1977, at 7:00 p.m., in the City-County Building and a *Notice of Public Hearing on Zoning* for Proposal No. 142, 1977, for a Public Hearing to be held on Monday, May 23, 1977, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

May 10, 1977

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

Ladies and Gentlemen:

I have this day approved with my signature and forwarded to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following City-County Special Resolutions:

SPECIAL RESOLUTION NO. 6, 1977 honoring the Indianapolis Municipal Gardens—PAL Club 13 and 14 year olds Basketball Team.

SPECIAL RESOLUTION NO. 7, 1977 honoring the Indianapolis Municipal Gardens—PAL Club 9 and 10 years olds Basketball Team.

Respectfully submitted,

William H. Hudnut, III
Mayor

May 11, 1977

Mr. F. Ross Vogelgesang
Department of Metropolitan Development
2021 City-County Building
Indianapolis, IN 46204

Dear Mr. Vogelgesang:

At the City-County Council meeting held on Monday, May 9, 1977, the Council voted to hold a public hearing on Proposal No. 142, 1977. This public hearing will be held at the Council meeting on Monday, May 23, 1977.

For your convenience, please find enclosed a copy of G.O. 20, 1977.

Sincerely,

Beverly S. Rippy
City Clerk

PRESENTATIONS OF PETITIONS, MEMORIALS,
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

Councilman Miller reported to the Council on the procedures for the introduction of Transportation Ordinances. In the past, Mr. Elrod, General Counsel, forwarded DOT requests to that department for review and then they returned the proposal to him with their approval or disapproval. In the future, Mr. Elrod will prepare DOT proposal initiated by Council members for submission at the next Council meeting and send a carbon copy to DOT for their technical review and engineering recommendations. These procedures should insure prompt introduction of Council members' requests.

PROPOSAL NO. 183, 1977. Councilman West introduced and read this proposal requiring the submission of certain personnel information in connection with 1978 Budget requests. Following discussion, Mr. West moved, seconded by Mr. Tintera, to adopt Proposal No. 183, 1977. The motion carried by unanimous voice vote.

Proposal No. 183, 1977, was retitled **COUNCIL RESOLUTION NO. 11, 1977**, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 11, 1977

A COUNCIL RESOLUTION requiring submission of certain personnel information in connection with 1978 Budget requests.

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

SECTION 1. On or before July 10, 1977, all agencies, whose personal services budgets are subject to approval by the City-County Council, shall submit to the Council a complete listing of each and every position contemplated for 1978, setting forth specifically the job title, number of employees by job title, the compensation of each employee for 1976 and 1977 by job title and the number and compensation of all positions requested for 1978 by job title, in preparation for the Council's passage of maximum salary levels for each job title.

SECTION 2. If the Council hereafter adopts or accepts by ordinance a system of wage classification and administration for incorporation in the 1978 Annual Budget, the information required by this resolution need be submitted only to the extent contemplated by that ordinance.

SECTION 3. The format and documentation of information required by this resolution shall be determined by the Senior Budget Analyst in consultation with the President of the Council.

PROPOSAL NO. 184, 1977. Councilman Howard introduced and read the proposal establishing allocation for expenditure of certain Public Works Employment Grants from the federal government. The President referred it to the Administration Committee.

PROPOSAL NO. 182, 1977. Councilman McPherson introduced and read the proposal confirming Walter L. Abell as a member of the Indianapolis-Marion County Air Pollution Control Board. Following discussion, Mr. McPherson moved, seconded by Mr. Durnil, to adopt Proposal No. 182, 1977. The motion carried by unanimous voice vote.

Proposal No. 182, 1977, was retitled COUNCIL RESOLUTION NO. 10, 1977, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 1977

A COUNCIL RESOLUTION confirming Board and Commission appointments.

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

SECTION 1. As a member of the Indianapolis-Marion County Air Pollution Control Board, the Council appoints:

Walter L. Abell

SECTION 2. The foregoing appointment shall be for a term of four (4) years beginning June 1, 1977, at the pleasure of the Council and/or until his respective successor is appointed.

INTRODUCTION OF GUESTS

Councilman Bayt introduced Mr. Lawrence Ryan, President of the Marion County Welfare Board, Mr. August C. Huber, former Councilman and Mr. James Shea of the Indianapolis Fire Department. Councilman Walters introduced citizens in support of the Decatur Township softball diamond and citizens opposing the zoning for the softball diamond. Councilman Howard introduced Mr. Sam Jones, director of the Indianapolis Urban League and C.E.T.A. employees from the Marion County Public Welfare Department whose employment has been terminated.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 151, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance fixing a 40 m.p.h. speed limit on 86th Street between Spring Mill Road and Northwestern Avenue [Amends Code Section 29-136]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 152, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at a certain intersection [Amends Code Section 29-92]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 153, 1977. Introduced by Councilman Miller.⁴ The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at a certain intersection [Amends Code Section 29-92]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 154, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections [Amends Code Section 29-92]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 155, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing an intersection control at a certain intersection [Amends Code Section 29-92]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 156, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections [Amends Code Section 29-92]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 157, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing an intersection control at a certain intersection [Amends Code Section 29-92]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 158, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting parking at all times on the north side of Pleasant Run Parkway, South Drive, from Arlington Avenue to Kenmore Road;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 159, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at a certain intersection [Amends Code Section 29-92]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 160, 1977. Introduced by Councilman Vollmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at a certain intersection [Amends Code Section 29-92]" and the President referred it to the Transportation Committee.

PROPOSAL NO. 161, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Resolution authorizing and approving the issue of General Obligation Bonds of the Metropolitan Thoroughfare District of the City of Indianapolis in the principal sum of eleven million seven hundred twenty thousand dollars (\$11,720,000);" and the President referred it to the Transportation Committee.

PROPOSAL NO. 162, 1977. Introduced by Councilman Clark. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance approving temporary tax anticipation borrowing, authorizing the City of Indianapolis, to make temporary loans for the use of the Park District Fund, Sanitation Special Taxing District Fund and Consolidated County Fund during the period July 1, 1977 to December 31, 1977, in anticipation of current taxes levied in the year 1976 and collectible in the year 1977;" and the President referred it to the Administration Committee.

PROPOSAL NO. 163, 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 nine million seven hundred thirty-six thousand five hundred seventy dollars (\$9,736,570.00) in the Manpower Federal Programs Fund for purposes of Employment and Training Division of the Department of Administration and reducing the unappropriated and unencumbered balance in the Manpower Federal Programs Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 164, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 97, 1976, and approving changes in the established personnel and salaries for Perry Township, Marion County, Indiana; and the President referred it to the County & Townships Committee.

PROPOSAL NO. 165, 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 fifteen thousand five hundred dollars (\$15,500.00) in the County Fair Board Fund for purposes of the County Fair Board and reducing certain other appropriations for that agency;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 166, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional six thousand one hundred forty-five dollars (\$6,145.00) in the County General Fund for purposes of the County Recorder and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 167, 1977. Introduced by Councilman Hawkins. 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-four thousand five hundred seventy-six dollars (\$164,576.00) 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;" and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 168, 1977. Introduced by Councilman Cantwell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Section 8 of Chapter 31 of the Code of Indianapolis and Marion County, Indiana, limiting utility charges for moving utility facilities under certain circumstances;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 169, 1977. Introduced by Councilman Vollmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Chapter 2 of the Code of Indianapolis and Marion County, Indiana, requiring local government employees to be residents of the employing jurisdiction;" and the President referred it to the Rules & Policy Committee.

PROPOSAL NO. 170, 1977. Introduced by Councilman Dowden. The Clerk read the proposal entitled: "A Proposal for a General Ordinance to amend the Code of Indianapolis and Marion County, Indiana, specifically Section 23-38, to further clarify a provision of the Code of Ethics;" and the President referred it to the Rules & Public Policy Committee.

PROPOSAL NO. 171, 1977. Introduced by Councilman Miller and Councilwoman Parker. The Clerk read the proposal entitled: "A Proposal for a General Ordinance imposing an employment tax on certain employers and employees and establishing the rate of such taxation;" and the President referred it to the Economic Development and the Municipal Corporations Committees.

PROPOSAL NOS. 172-181, 1977. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for rezoning ordinances certified from the Metropolitan Plan Commission on May 19, 1977." Councilman Patterson called for Proposal Nos. 173, 178, 179 and 180, 1977, to be heard at public hearing on June 6, 1977. The motion carried by unanimous voice vote. Proposal Nos. 172, 174, 175, 176, 177, and 181, 1977 were referred to the Committee of the Whole to be heard under Special Orders—Final Adoption.

MODIFICATIONS OF SPECIAL ORDERS

Councilman Miller made the following motion concerning Proposal No. 99, 1977:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 99, 1977, be placed upon the agenda of this meeting under Special Orders—Final Adoption.

s/Donald W. Miller

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

15 AYES: *Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.*

14 NOES: *Mr. Anderson, Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Pearce, Mr. Schneider, Mr. Vollmer and Mr. Walters.*

SPECIAL ORDERS—PUBLIC HEARING

PROPOSAL NO. 142, 1977. The Council recessed to a Committee of the Whole at 8:14 p.m. The Chair stated that the procedures outlined in General Ordinance No. 20, 1977, would be followed for this rezoning hearing.

Councilman Tintera presented an opening statement stating that this zoning has a significant impact on the community (2 minutes). Next the petitioner (15 minutes) was represented by Randall Chilcote. Mr. Chilcote emphasized the following points: (1) the support of the use of this property for a softball diamond by Decatur Township businesses, civic organizations and senior citizens; (2) the donation of the field free of charge to other organizations; and, (3) the property

had been used for an athletic field since 1959. Mr. Chilcote also stated that his client had made a commitment to improve the location by (1) installation of restrooms, (2) constructing a hard-top parking lot and (3) removing the P.A. system.

Mr. Dave McNamar, attorney for the remonstrators, opened their presentation by introducing Mrs. Paula Hall. Mrs. Hall presented the Clerk with a petition with 114 signatures, pictures, and letters. She stated that her reasons for opposing the field were (1) the increased use of the field from 6-8 hours a week to 33 or more hours a week; (2) the softball diamond association had not obtained proper zoning; (3) they had not gotten a board of health certificate; (4) they had given Indianapolis Power and Light Company false information; and (5) some of the people in Decatur Township who support the softball field still believe it is for little league. Mr. Dan Green continued the remonstrators' presentation by stating the noise and lights were such a nuisance since he lived only 400 feet from the diamond. Mrs. Ann Hudner, a realtor for McClain-Matthews in Mooresville said it was virtually impossible to sell property in that area because of the softball diamond. The remonstrators reserved 2 minutes and 24 seconds of their presentation.

There being no comment from the general public, each Councilman had 2 minutes for questioning and debate. A number of Council members yielded their 2 minutes to Mr. Keith Walters, Councilman of that district. After considerable discussion, Mr. Walters closed by stating the owners of the softball association were donors to the community and men of honesty and integrity. He also stated he would not be voting on this issue.

The petitioner (5 minutes) closed his presentation by stating that both the hearing examiner and the commission had approved the rezoning and the petitioners had the right to have the rezoning. The remonstrators (7 minutes and 24 seconds) ended by projecting what the situation would be in five years.

The Chair called for the vote stating that a "yes" vote was for the petitioner and a "no" vote was for the remonstrator. Twenty "no" votes were needed to reverse the decision of the Metropolitan Plan Commission. The Commission was upheld on the following roll call vote; viz:

20 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Vollmer.

8 NOES: *Mr. Anderson, Mr. Kimbell, Miss Parker, Mr. Patterson, Mr. Rippel, Mr. Tinder, Mr. Tintera and Mr. West.*

1 NOT VOTING: *Mr. Walters.*

Proposal No. 142, 1977, was retitled REZONING ORDINANCE NO. 61, 1977, and reads as follows:

**REZONING ORDINANCE NO. 61, 1977. 77-Z-33 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
7700 MOORESVILLE ROAD, INDIANAPOLIS
West Newton Community Softball Association, Inc. by James E. Farmer, President,
8520 Camby Road, Camby, Indiana requests rezoning of 4.30 acres, being in A-2
district, to SU-28 classification to permit an athletic field and softball field, as per plans
filed.**

[Clerk's Note: The Chair called a recess at 9:21 p.m., and the Council reconvened at 9:45 p.m.]

PROPOSAL NO. 104, 1977. Since the Auditor's report has not been received, this proposal was postponed until June 6, 1977. The President called upon the minority leader and the chairmen of the Public Safety & Criminal Justice and County & Township Committees to talk with the Auditor to find out what the Council needs to do to be of assistance. Mr. West requested the Council staff to prepare a 12-line statement for nine months. The Chair stated that action will definitely be taken upon this proposal at the next meeting.

PROPOSAL NO. 108, 1977. Mr. Clark presented the committee report and then moved for the adoption of this proposal. The motion was duly seconded. The Council recessed to a Committee of the Whole at 10:00 p.m. and reconvened at 10:01 p.m. Following discussion, the question was called and the proposal was adopted on the following roll call vote; viz:

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

4 NOES: *Mr. Anderson, Mr. Cantwell, Mr. Schneider and Mr. Vollmer.*

2 NOT VOTING: *Mrs. Coughenour and Mr. Dowden.*

Proposal No. 108, 1977, was retitled FISCAL ORDINANCE NO. 40, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 1977

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.

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 strengthening the management training function of the Personnel Division of the Department of Administration financed by a federal grant pursuant to the Intergovernmental Personnel Act.

SECTION 2. The sum of eight thousand dollars (\$8,000.00) 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
PERSONNEL DIVISION

21. Contractual Services
TOTAL INCREASES

CITY GENERAL FUND
\$ 8,000.00
\$ 8,000.00

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

Unappropriated and Unencumbered
City General Fund
TOTAL REDUCTIONS

CITY GENERAL FUND
\$ 8,000.00
\$ 8,000.00

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 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. 110, 1977. Councilman McPherson presented the committee report and then moved for the adoption of this proposal. The Council recessed to a Committee of the Whole at 10:04 p.m. for a public hearing and reconvened at 10:05 p.m. Following discussion during which Mr. Cantwell spoke, the motion carried on the following roll call vote; viz:

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

2 NOES: Mr. Miller and Mr. Rippel.

Proposal No. 110, 1977, was retitled FISCAL ORDINANCE NO. 41, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 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-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.

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 consulting services for development of a program to implement a user charge and industrial cost recovery system.

SECTION 2. The sum of one hundred fifty-two thousand dollars (\$152,000.00) 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 PUBLIC WORKS

SANITATION DIVISION

21. Contractual Services

TOTAL INCREASES

SANITARY DISTRICT FUND

\$ 152,000.00

\$ 152,000.00

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

Unappropriated and Unencumbered

Sanitary District Fund

TOTAL REDUCTIONS

SANITARY DISTRICT FUND

\$ 152,000.00

\$ 152,000.00

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

PROPOSAL NO. 111, 1977. Councilman McPherson presented the Public Works Committee report and moved for adoption of Proposal No. 111, 1977. The Council recessed at 10:06 p.m. for public hearing and reconvened at 10:07 p.m. The motion carried on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, 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.

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

Proposal No. 111, 1977, was retitled FISCAL ORDINANCE NO. 42, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional four hundred seventy-one thousand five hundred forty dollars and thirty-nine cents (\$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.

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 unappropriated costs of Mars Hill Phase II sewer project.

SECTION 2. The sum of four hundred seventy-one thousand five hundred forty dollars and thirty-nine cents (\$471,540.39) 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

TOTAL INCREASES

SANITARY DISTRICT FUND

\$ 471,540.39

\$ 471,540.39

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

Unappropriated and Unencumbered

Sanitary District Fund

TOTAL REDUCTIONS

SANITARY DISTRICT FUND

\$ 471,540.39

\$ 471,540.39

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

PROPOSAL NO. 122, 1977. The committee report was given by Councilman McPherson. He then moved for the adoption of this proposal. The Council recessed at 10:14 p.m. to the Committee of the Whole for public hearing during which time Mr. Don Christenson encouraged passage of this proposal. At 10:15 p.m. the Council reconvened. Following discussion during which Councilmen Vollmer, SerVaas, Gilmer and Bayt spoke, the proposal was adopted on the following roll call vote; viz:

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

1 NO: Mr. Vollmer.

Proposal No. 122, 1977, was retitled FISCAL ORDINANCE NO. 43, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 43, 1977

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional sixty-five thousand dollars (\$65,000.00) in the Market Fund for purposes of City Market Division, Department of Public Works, and reducing the unappropriated and unencumbered balance in the Market 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 completing the market restoration project.

SECTION 2. The sum of sixty-five thousand dollars (\$65,000.00) 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 PUBLIC WORKS

CITY MARKET	MARKET FUND
21. Contractual Services	\$ 65,000.00
TOTAL INCREASES	\$ 65,000.00

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

Unappropriated and Unencumbered	MARKET FUND
Market Fund	\$ 65,000.00
TOTAL REDUCTIONS	\$ 65,000.00

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

PROPOSAL NO. 123, 1977. Councilman Gilmer presented the Parks & Recreation Committee report and then moved for adoption of this proposal. Mr. Howard asked how much money was in the revenue-sharing fund. Richard A. Payne, Council Staff, replied \$4-5 hundred thousand. The Council recessed to a Committee of the Whole 10:34 p.m. during which time Mr. John McClain spoke. The Council reconvened 10:35 p.m. Following much discussion, Proposal No. 123, 1977, was adopted on the following roll call vote; viz:

17 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tintera and Mr. Walters.

12 NOES: Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durbin, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Schneider, Mr. Tinder, Mr. Vollmer and Mr. West.

Proposal No. 123, 1977, was retitled FISCAL ORDINANCE NO. 44, 1977, and read as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional fifteen thousand dollars (\$15,000.00) in the Park District Fund for purposes of the Department of Parks & Recreation and reducing the unappropriated and unencumbered balance in the Park 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 financing a grant to National Junior Tennis Association of Indianapolis.

SECTION 2. The sum of fifteen thousand dollars (\$15,000.00) 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 PARKS & RECREATION PARK DISTRICT FUND	
25. Current Obligations	\$ 15,000.00
TOTAL INCREASES	\$ 15,000.00

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

PARK DISTRICT FUND	
Unappropriated and Unencumbered	
Park District Fund	\$ 15,000.00
TOTAL REDUCTIONS	\$ 15,000.00

SECTION 5. Section 14 of the City-County Annual Budget for 1977 is amended to allocate and appropriate additional state revenue sharing funds by adding an additional subsection (c) as follows:

(c) Fifteen thousand dollars (\$15,000.00) to the Park District Fund for purposes of recreational expenditures for calendar year 1977.

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

PROPOSAL NO. 124, 1977. This proposal was postponed until the meeting of June 6, 1977.

PROPOSAL NO. 125, 1977. Councilman Clark presented the committee report on this proposal and moved for its adoption. The Council recessed to a Committee of the Whole at 10:39 p.m. and reconvened at 10:40 p.m. Following public hearing and discussion, Proposal No. 125, 1977, was adopted on the following roll call vote; viz:

18 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.

9 NOES: Mr. Bayt, Mr. Boyd, Mr. Cantwell, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Schneider, Mr. Vollmer and Mr. Walters.

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

Proposal No. 125, 1977, was retitled FISCAL ORDINANCE NO. 45, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional seventeen thousand nine hundred dollars (\$17,900.00) in the Consolidated County Fund for purposes of the Legal Division, Department of Administration and reducing the unappropriated and unencumbered balance in the Consolidated County 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 contesting certain 1976 amendments to the federal unemployment compensation law.

SECTION 2. The sum of seventeen thousand nine hundred dollars (\$17,900.00) 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

	LEGAL DIVISION	CONSOLIDATED COUNTY FUND
10.	Personal Services	\$ 15,000.00
21.	Contractual Services	2,150.00
22.	Supplies	750.00
	TOTAL INCREASES	\$ 17,900.00

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

	CONSOLIDATED COUNTY FUND
Unappropriated and Unencumbered	
Consolidated County Fund	\$ 17,900.00
TOTAL REDUCTIONS	\$ 17,900.00

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

PROPOSAL NO. 127, 1977. This proposal was postponed until the meeting of June 6, 1977.

PROPOSAL NO. 131, 1977. Councilman Kimbell presented the committee report and withdrew the proposed amendment. The Council recessed to a Committee of the Whole at 10:44 p.m. and reconvened at 10:45 p.m. After public hearing and discussion, the motion was duly made and seconded to adopt Proposal No. 131, 1977. The motion carried on the following roll call vote; viz:

27 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, 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.

1 NO: Mr. Anderson.
1 NOT VOTING: Mr. Cantwell.

Proposal No. 131, 1977, was retitled FISCAL ORDINANCE NO. 46, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional twenty-four thousand one hundred fifty dollars (\$24,150.00) in the Crime Control Fund for purposes of the County Jail 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 communications equipment for the County Sheriff financed by L.E.A.A. Grant No. 75-C-E07-15-059.

SECTION 2. The sum of twenty-four thousand one hundred fifty dollars (\$24,150.00) 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
34. Equipment	\$ 24,150.00
TOTAL INCREASES	\$ 24,150.00

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

Unappropriated and unencumbered	CRIME CONTROL FUND
Crime Control Fund	\$ 24,150.00
TOTAL REDUCTIONS	\$ 24,150.00

SECTION 5. The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

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

PROPOSAL NO. 132, 1977. Mr. McPherson read the committee report and introduced the following amendment:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 132, 1977, be amended as follows:
Rename section 5 as section 6, and add a new section 5 as follows:

Section 5. The controller is directed to reject any claim against the appropriation made by this ordinance until such time as the financing of this project is received from the U. S. Environmental Protection Agency.

s/Donald R. McPherson

After the motion was duly seconded, it passed by unanimous voice vote. The Council then recessed at 10:49 p.m. for public hearing and reconvened at 10:50 p.m. Following public hearing and discussion, the motion was duly made and seconded to adopt Proposal No. 132, 1977, As Amended. The proposal was adopted on the following roll call vote; viz:

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

NO NOES.

4 NOT VOTING: Mr. Cantwell, Mr. Gilmer, Mr. Miller and Miss Parker.

Proposal No. 132, 1977, As Amended, was retitled FISCAL ORDINANCE NO. 47, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 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 five hundred sixty-five dollars (\$5,565.00) in the Consolidated County Fund for purposes of the Air Pollution Control Division, Department of Public Works, and reducing the unappropriated and unencumbered balance in the Consolidated County 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 providing for payment of contracts not completed in 1976 as contemplated.

SECTION 2. The sum of five thousand five hundred sixty-five dollars (\$5,565.00) 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		
AIR POLLUTION CONTROL DIVISION		CONSOLIDATED COUNTY FUND
21.	Contractual Services	\$ 5,565.00
	TOTAL INCREASES	\$ 5,565.00

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

	CONSOLIDATED COUNTY FUND
Unappropriated and unencumbered	
Consolidated County Fund	\$ 5,565.00
TOTAL REDUCTIONS	\$ 5,565.00

SECTION 5. The Controller is directed to reject any claim against the appropriation made by this ordinance until such time as the financing of this project is received from the U. S. Environmental Protection Agency.

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

PROPOSAL NO. 134, 1977. Mr. Miller presented the committee report and moved for adoption of this proposal. The Council recessed at 10:54 p.m. to a Committee of the Whole and reconvened at 10:55 p.m. after public hearing. Following discussion during which time Mr. Fred Madorin stated the entire amount was for resurfacing and that the money will be used in compliance with Executive Order 3A. Proposal No. 134, 1977, was adopted 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. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. Walters.

NO NOES.

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

Proposal No. 134, 1977, was retitled FISCAL ORDINANCE NO. 48, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 48, 1977

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional six hundred thirty-seven thousand dollars (\$637,000) 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 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 resurfacing financed by federal anti-recession grant and street service financed by C. D. A. grant.

SECTION 2. The sum of six hundred thirty-seven thousand dollars (\$637,000.00) 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 TRANSPORTATION	TRANSPORTATION FUND
21. Services Contractual	\$ 637,000.00
TOTAL INCREASES	\$ 637,000.00

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

Unappropriated and unencumbered	TRANSPORTATION FUND
Transportation Fund	\$ 637,000.00
TOTAL REDUCTIONS	\$ 637,000.00

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

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

PROPOSAL NO. 109, 1977. Councilman Schneider presented the committee report and moved for the adoption of this proposal. Following discussion, Proposal No. 109, 1977, was adopted on the following roll call vote; viz:

28 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Mrs. 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. Gilmer.

Proposal No. 109, 1977, was retitled FISCAL ORDINANCE NO. 49, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 49, 1977

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.

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 telephone bills for a branch office.

SECTION 2. The sum of one hundred fifty dollars (\$150.00) 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:

LAWRENCE TOWNSHIP ASSESSOR	REASSESSMENT FUND
21. Contractual Services	\$ 150.00
TOTAL INCREASES	\$ 150.00

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

LAWRENCE TOWNSHIP ASSESSOR	REASSESSMENT FUND
22. Supplies	\$ 150.00
TOTAL REDUCTIONS	\$ 150.00

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

PROPOSAL NO. 128, 1977. After presentation of the committee report, Mr. Schneider moved, and the motion was duly seconded for the adoption of Proposal No. 128, 1977. Following discussion, this proposal was adopted on the following roll call vote; viz:

29 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. McGrath, 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.

Proposal No. 128, 1977, was retitled FISCAL ORDINANCE NO. 50, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 50, 1977

A FISCAL ORDINANCE authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period July 1, 1977, to December 31, 1977, in anticipation of current taxes levied in the year 1976, and collectible in the year 1977, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon.

WHEREAS, the Auditor of Marion County has filed with the Mayor of the Consolidated City an estimate and statement showing the amount of money, in addition to the funds already available, which will be necessary to defray the current expenses and to pay the obligations of the County General Fund pending the receipt of current revenues actually levied and now in process of collection, and the Mayor did make and enter of record a finding, and said Auditor and Mayor have requested the City-County Council to authorize temporary borrowing to procure the funds necessary for use by the County General Fund and to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of Tax Anticipation Warrants; and

WHEREAS, the City-County Council now finds that the request should be granted, and that the City-County Council should authorize the making of a loan and the issuance of Tax Anticipation Warrants of the County to evidence the same; now, therefore:

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

SECTION 1. That the Auditor of Marion County and Mayor of the Consolidated City of Indianapolis are authorized to borrow on a temporary loan against current revenues actually levied and in process of collection for the County General Fund, for and on behalf of said County, for the purposes of procuring the funds immediately and temporarily necessary for use for expenditures from the County General Fund to be paid from said County General Fund prior to the actual receipt of taxes levied and now in process of collection for the County General Fund, and the amount required for the payment of incidental expenses incurred in connection with the issuance of the Tax Anticipation Warrants of the County in the manner provided for by the Statute.

SECTION 2. That the maximum amount of said loan and the Tax Anticipation Warrants issued to evidence the same shall not exceed five million dollars (\$5,000,000.00). Said Tax Anticipation Warrants shall be dated as of date of delivery

thereof to the purchaser and shall bear interest at a rate or rates not exceeding the maximum rate provided by law, and shall mature and be payable on the 28th day of December, 1977, and the amount of five million dollars (\$5,000,000.00) of the taxes now in process of collection for the County General Fund in the year 1977, together with such amount of said taxes as is necessary to pay the interest on said warrants, is hereby appropriated and pledged for the purpose of paying said tax anticipation warrants together with the interest thereon when due, deductions to be made from semi-annual settlement of said taxes in amounts herein before indicated to the total amount of said warrants coming due on the date of such settlements, with accrued interest thereon.

SECTION 3. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate amount, dates, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

STATE OF INDIANA, COUNTY OF MARION

NO. _____ \$ _____

MARION COUNTY GENERAL FUND
TAX ANTICIPATION WARRANT

For value received the Board of Commissioners of the County of Marion, in the State of Indiana, promises to pay to the bearer from the Marion County General Fund the sum of \$ _____ Dollars on the _____ of _____, with interest thereon at the rate of _____ percent (_____ %) per annum from the date hereof to the time of payment of the principal hereof, which interest is payable on the principal payment date hereof.

Both principal and interest of this warrant are payable in lawful money of the United States of America, at the Office of the Treasurer of Marion County, of the City of Indianapolis, Indiana. This warrant is one of an issue aggregating _____ Dollars and is issued pursuant to and in accordance with City-County Fiscal Ordinance No. _____, duly adopted by the City-County Council on the _____ day of _____, and in strict conformity with an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning County Business," in force April 27, 1899, and the Acts of 1933, Chapter 171 of the Acts of 1969, and Public Law. No. 134, 1972.

All acts, conditions and things to be done precedent to and in the execution, issuance and delivery of this warrant have been done and performed in regular and due form as provided by law, and this warrant is within every limit of indebtedness prescribed by the constitution and the laws of the State of Indiana. Sufficient receipts from taxation for the County General Fund of Marion County from levies actually made and now in process of collection for the current year as may be necessary are hereby irrevocably pledged to the punctual payment of the principal and interest of this warrant according to its terms.

IN WITNESS WHEREOF, the Board of Commissioners of the County of Marion, has caused this warrant to be issued and signed in its name by its duly elected, qualified and acting Commissioners, countersigned by the Mayor of the City of Indianapolis, attested by its duly elected, qualified and acting County Auditor, and the seal of the said Board of Commissioners to be hereunto affixed, as of the _____ day of _____

SEAL

COMMISSIONERS OF MARION COUNTY

ATTEST:

MAYOR, CITY OF INDIANAPOLIS

AUDITOR OF MARION COUNTY

PROPOSAL NO. 130, 1977. Councilman West gave the committee report and moved for the adoption of this proposal. Following discussion during which Mr. Howard spoke, Proposal No. 130, 1977 was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Dowden, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

6 NOES: Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mrs. Journey, Mr. Rippel, and Mr. Walters.

1 NOT VOTING: Mr. Schneider.

Proposal No. 130, 1977, was retitled GENERAL ORDINANCE NO. 21, 1977, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 1977

A GENERAL ORDINANCE amending Section 6-146 of Article III, Chapter 6 of the Code of Indianapolis and Marion County, Indiana pertaining to the amount of impoundment fees that may be levied and collected by the proper impounding authority thereunder for animals properly impounded pursuant to said article for being found running at large by the municipal dog pound division of the department of public safety.

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

SECTION 1. Chapter 6 of the Code of Indianapolis and Marion County, Indiana, specifically Section 6-146, be and is hereby amended by deleting the portions crosshatched and inserting the portions underlined, so as to read as follows:

Sec. 6-146. Fees; disposition.

(a) Impoundment fees for animals impounded pursuant to this article shall be as follows:

- (1) For each dog ~~2.00~~
impounded during any one year period.
First impoundment \$10.00
Second impoundment \$20.00
Third and any subsequent impoundment . . . \$30.00 or the application of Section 6-148 of this article at the discretion of the impounding authority;
plus for each day of impoundment or fraction thereof . . 2.00
- (2) For each cat or other small animal . . ~~1.00~~ 3.00
plus for each day of impoundment or fraction thereof . . ~~0.50~~ 1.00
- (3) For any large animal other than a dog . . 20.00
plus for each day of impoundment or fraction thereof . . 3.00

(b) Impoundment fees shall be collected by and paid to the impounding authority, which shall remit such funds to the division of finance of the department of administration of the city; however, if the impounding authority in a particular case is a person contracting with the city to render impounding services, the fees may be retained by and as the property of such person as part of all of his charges for rendering such services, if the contract so provides.

PROPOSAL NO. 150, 1977. Miss Parker gave the committee report, then moved for the adoption of this proposal. Mr. Bob Cross answered the Council's questions. Following discussion, the motion carried on the following roll call vote; viz:

28 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, 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. 150, 1977, was retitled GENERAL RESOLUTION NO. 11, 1977, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 11, 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 (Additional)	\$119,341.00	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.

PROPOSAL NO. 133, 1977. Councilman McPherson presented the committee report and then moved for the adoption of Proposal No. 133, 1977. Following discussion, the proposal was adopted on the following roll call vote; viz:

29 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. McGrath, 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.

Proposal No. 153, 1977, was retitled FISCAL ORDINANCE NO. 51, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 51, 1977

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating five hundred dollars (\$500.00) in the Consolidated County Fund for purposes of the Air Pollution Control Division, Department of Public Works.

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 repair parts for testing devices.

SECTION 2. The sum of five hundred dollars (\$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		
AIR POLLUTION CONTROL DIVISION		CONSOLIDATED COUNTY FUND
23.	Materials	\$ 500.00
	TOTAL INCREASES	\$ 500.00

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

DEPARTMENT OF PUBLIC WORKS		
AIR POLLUTION CONTROL DIVISION		CONSOLIDATED COUNTY FUND
21.	Contractual Services	\$ 500.00
	TOTAL REDUCTIONS	\$ 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. 172, 174-177, 181, 1977. No action was taken on these proposals, and they were retitled REZONING ORDINANCES NOS. 62-67, 1977, and read as follows:

REZONING ORDINANCE NO. 62, 1977. 77-Z-82 WARREN TOWNSHIP COUNCILMANIC DISTRICT NO. 13
10501 EAST WASHINGTON STREET, INDIANAPOLIS
Casey Construction by Roger B. Casey by Norman T. Funk, Attorney, 1213 North Arlington Avenue No. 205 requests rezoning of 5.27 acres, being in A-2 district, to C-5 classification to permit commercial development.

REZONING ORDINANCE NO. 63, 1977. 77-Z-44 LAWRENCE TOWNSHIP COUNCILMANIC DISTRICT NO. 3
6500 EAST 91ST STREET, INDIANAPOLIS
Mr. and Mrs. Donald Harsin by William F. LeMond, Attorney, 600 Union Federal Building request rezoning of 53.80 acres, being in A-2 district to D-2 classification to permit residential use by platting.

**REZONING ORDINANCE NO. 64, 1977. 77-Z-49 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22**

1309 WEST MARKET STREET, INDIANAPOLIS

Salvation Army by Heather M. Wiske, Attorney, One Indiana Square No. 2250 requests rezoning of 0.20 acre, being D-8 & R-C districts, to SU-38 classification to permit a community center.

**REZONING ORDINANCE NO. 65, 1977. 77-Z-51 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 14**

3741-73 EAST PLEASANT RUN PARKWAY, SOUTH DRIVE, INDIANAPOLIS

Herbert W. Backland, Herman L. Henderson, et al, Trustees for the Bible Church by Frank W. Hogan, Attorney, 4040 South Meridian Street request rezoning of 1.25 acres, being in D-5 district, to SU-1 classification to permit church uses.

**REZONING ORDINANCE NO. 66, 1977. 77-Z-57 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

8800-8900 WEST TENTH STREET, INDIANAPOLIS

Urban Systems Development Corporation by James W. Beatty, Attorney, 400 Union Federal Building requests rezoning of 58.58 acres, being in D-6 district, to D-4 classification to provide for single-family dwellings by platting.

**REZONING ORDINANCE NO. 67, 1977. 77-Z-84 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19**

4501 BRADBURY AVENUE, INDIANAPOLIS

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning and Zoning, Metropolitan Development Department, 2021 City-County Building, requests rezoning of 5.50 acres, being in I-2-S district, to C-7 classification to permit the sale and service of trucks (map error correction).

PROPOSAL NO. 99, 1977. Councilman Miller stated that the committee recommended the postponement of this proposal for thirty days, but to receive the funds, the proposal would have to be adopted at the May 23rd meeting. Councilman Cantwell spoke against passage until information was received from the federal government concerning a letter he sent. Mr. Pearce moved, seconded by Mr. Boyd, to postpone Proposal No. 99, 1977, until June 6, 1977. The motion passed on the following roll call vote; viz:

16 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. McPherson, Mr. Pearce, Mr. Schneider, Mr. Vollmer and Mr. Walters.

13 NOES: Mrs. Brinkman, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tinker and Mr. West.

ANNOUNCEMENTS AND ADJOURNMENT

The Chair announced that the last meeting in June had been change from June 20 to June 15, a Wednesday. This will give Council members an additional five days of vacation.

President SerVaas announced the Council dinner to be held Monday, June 13, at 7:00 p.m. at the Indianapolis Athletic Club.

The President announced the following committee changes:

Councilman Miller, Chairman of Administration

Councilman Rippel, Chairman of Transportation

Councilwoman Coughenour, Member of the Public Works Committee

Councilman McGrath, member of the Administration, Transportation and Public Safety & Criminal Justice Committees.

There being no further business, and upon motion duly made and seconded, the meeting was adjourned at 11:32 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 Regular Meeting on the 23rd day of May, 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