

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, October 24, 1977**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:15 p.m., Monday, October 24, 1977, President SerVaas in the chair. Councilman George Tintera 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, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West and Mrs. Brinkman.*

**CORRECTION OF JOURNALS**

There being no additions or corrections to the journals of September 12 and September 26, 1977, they were approved, as distributed.

**OFFICIAL COMMUNICATIONS**

The Chair called for reading of Official Communications. The Clerk read the following:

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

**Ladies and Gentlemen:**

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, October 24, 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,**

**Beurt SerVaas, President  
City-County Council**

October 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 October 14, 1977 and October 21, 1977, a Notice to Taxpayers on Proposal No. 427, 1977, for a Public Hearing to be held on October 24, 1977, at 7:00 p.m. in the City-County Building.

Respectfully,

Beverly S. Rippy  
City Clerk

October 18, 1977

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

Ladies and Gentlemen:

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

**SPECIAL RESOLUTION NO. 25, 1977** honoring the Indiana Pacers professional basketball team.

**COUNCIL RESOLUTION NO. 26, 1977** authorizing and directing the appropriate officers of the City of Indianapolis and Marion County, Indiana to cause to be prepared and executed an appeal to the State Board of Tax Commissioners for approval of a levy sufficient to fund all of the appropriations of the Health and Hospital Corporation, the County Treasurer, the County Surveyor, the Municipal Courts, the Juvenile Courts, the County Administration Department, Central Data Processing, Cooperative Extension, the Mayor's Office, the City-County Council, the Legal Division, the Human Rights Commission, the Department of Parks and Recreation, and Urban Renewal as originally submitted to the Marion County Board of Tax Adjustments, which appropriations were reduced by the Marion County Board of Tax Adjustments.

**FISCAL ORDINANCE NO. 82, 1977** amending the City-County annual budget for 1977 and appropriating an additional three hundred thousand dollars (\$300,000) in the County General Fund for purposes of the Juvenile Center and reducing the unappropriated and unencumbered balance in the County General Fund.

**FISCAL ORDINANCE NO. 83, 1977** amending the City-County annual budget for 1977 and appropriating an additional seventy-five thousand dollars (\$75,000) in the Historic Preservation fund for purposes of Historic Preservation Division, Department of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Historic Preservation fund.

**FISCAL ORDINANCE NO. 84, 1977** amending the City-County annual budget for 1977 and appropriating an additional two million one hundred sixty-five thousand dollars (\$2,165,000) in the Park General fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund.

**FISCAL ORDINANCE NO. 85, 1977** amending the City-County annual budget for 1977 and appropriating an additional four million eight hundred twenty-six thousand dollars (\$4,826,000) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

**FISCAL ORDINANCE NO. 86, 1977** amending the City-County annual budget for 1977 and appropriating an additional one million one hundred thirty-eight thousand dollars (\$1,138,000) in the Sanitation General Fund for purposes of the Sanitation Division, Department of Public Works, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

**FISCAL ORDINANCE NO. 87, 1977** amending the City-County Annual budget for 1977 and appropriating an additional three hundred twenty-five thousand dollars (\$325,000) in the County Welfare Fund for purposes of the Department of Public Welfare and reducing the unappropriated and unencumbered balance in the County Welfare Fund.

**GENERAL ORDINANCE NO. 93, 1977** amending Chapter One, Section 1-8 of the Code of Indianapolis and Marion County to delete the portion of that section authorizing imprisonment as a penalty for violations of the General Ordinance of Indianapolis and Marion County and removing certain other references to imprisonment.

**GENERAL ORDINANCE NO. 94, 1977** providing parking restrictions and parking meter locations on Prospect Street, Shelby Street, and Virginia Avenue in the Fountain Square area.

**GENERAL ORDINANCE NO. 95, 1977** establishing intersection controls at certain intersections.

**GENERAL ORDINANCE NO. 96, 1977** changing intersection controls at certain intersections.

**GENERAL ORDINANCE NO. 97, 1977** changing intersection control at certain intersections.

**GENERAL ORDINANCE NO. 98, 1977** establishing intersection controls at certain intersections.

**GENERAL ORDINANCE NO. 99, 1977** establishing intersection controls at certain intersections.

**GENERAL ORDINANCE NO. 100, 1977** changing an intersection control at a certain intersection.

**GENERAL ORDINANCE NO. 101, 1977** establishing an intersection control at a certain intersection.

**GENERAL ORDINANCE NO. 102, 1977** changing intersection controls at a certain intersection.

**GENERAL ORDINANCE NO. 103, 1977** establishing intersection controls at certain intersections.

**GENERAL ORDINANCE NO. 104, 1977** establishing intersection controls at a certain intersection.

**GENERAL ORDINANCE NO. 105, 1977** establishing intersection controls at a certain intersection.

**GENERAL ORDINANCE NO. 106, 1977** changing an intersection control at a certain intersection.

**GENERAL ORDINANCE NO. 107, 1977** establishing intersection controls at a certain intersection.

**GENERAL ORDINANCE NO. 108, 1977** establishing intersection controls at a certain intersection.

**GENERAL ORDINANCE NO. 109, 1977** changing intersection controls at a certain intersection.

**GENERAL ORDINANCE NO. 110, 1977** establishing intersection controls at certain intersections.

**GENERAL ORDINANCE NO. 111, 1977** altering prima facie speed limits on certain sections of Lafayette Road.

**GENERAL ORDINANCE NO. 112, 1977** establishing a speed limit of 45 miles per hour on a certain portion of Fall Creek Parkway.

**GENERAL ORDINANCE NO. 113, 1977** changing intersection controls at certain intersections.

**GENERAL ORDINANCE NO. 114, 1977** prohibiting parking on a portion of West 10th Street.

**GENERAL ORDINANCE NO. 115, 1977** prohibiting parking during specified hours on certain streets.

**GENERAL ORDINANCE NO. 116, 1977** eliminating a weight limit on a section of Arlington Avenue and establishing an intersection control at Arlington and Shimer avenues.

**GENERAL ORDINANCE NO. 117, 1977** establishing weight limits on certain streets.

**GENERAL ORDINANCE NO. 118, 1977** changing the prohibition of standing, stopping or parking on a certain portion of Leonard Street.

**GENERAL ORDINANCE NO. 119, 1977** changing an intersection control at a certain intersection.

**GENERAL ORDINANCE NO. 120, 1977** prohibiting parking on a portion of 21st Street.

**GENERAL ORDINANCE NO. 121, 1977** establishing weight limits on certain streets.

**GENERAL ORDINANCE NO. 122, 1977** changing intersection controls at certain intersections, prohibiting parking on a portion of Meridian School Road, and establishing a speed limit of 40 miles per hour on a certain portion of Meridian School Road.

**GENERAL ORDINANCE NO. 123, 1977** changing intersection controls at a certain intersection.

**GENERAL ORDINANCE NO. 124, 1977** changing intersection controls at a certain intersection.

**GENERAL ORDINANCE NO. 125, 1977** changing intersection controls at certain intersections.

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

**PRESENTATION OF PETITIONS, MEMORIALS,  
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 452, 1977. Mrs. Coughenour introduced and read this proposal reclaiming November 19, 1977, as Family Day. Following discussion, Proposal No. 452, 1977, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 26, 1977, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 26, 1977**

**A SPECIAL RESOLUTION** proclaiming November 19, 1977, as Family Day.

**WHEREAS**, the family is the basic unit of society and the foundation of civilization; and,

**WHEREAS**, a society composed of strong families is fortified to combat destructive forces which would otherwise undermine individuals and nations; and,

**WHEREAS**, an individual's character and foundation for useful and happy living is determined primarily by influences with the home; now, therefore:

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

**SECTION 1.** November 19, 1977, is hereby proclaimed as Family Day and all our citizens are urged to recognize the importance of the family unit and to work to strengthen the ties within their own families on this day and in the years to come.

PROPOSAL NO. 438, 1977. Mr. Miller stated the Administration Committee heard this proposal at their last meeting and recommended passage. This proposal authorizes the allocation of CETA funds for the Tech 300 program and the Greater Indianapolis Housing Development Corporation. Following discussion, the proposal was adopted by voice vote, retitled COUNCIL RESOLUTION NO. 27, 1977, and reads as follows:

**CITY—COUNTY COUNCIL RESOLUTION NO. 27, 1977**

**A COUNCIL RESOLUTION** authorizing the allocation of public service employment expenditures from federal grants pursuant to the Comprehensive Employment and Training Act of 1973, as amended.

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

**SECTION 1.** From the amounts appropriated by City-County Fiscal Ordinance No. 52, 1977, the City-County Council hereby authorizes and approves the allocation of such appropriations for the programs and purposes set forth in the attached schedule in amounts not to exceed those stated, to wit:

**COMPREHENSIVE EMPLOYMENT AND TRAINING ACT  
SPECIAL PROJECT**

DEPARTMENT AGENCY PROJECT PROGRAM PURPOSE	POSITION TITLE	NO. POS.	NO. MOS.	PROPOSED MAX. TOTAL BUDGET
<b>Indianapolis Public Schools Tech 300</b>				
Provide academic tutoring, recreational oportunities and counseling to inner city youth.	Youth Work Clerical Janitorial	44 5 1 <u>50</u>	12 12 12	\$442,200
<b>Greater Indpls., Housing Development Corp.</b>				
Restore Hillside Gardens Apartments, which is vacant and eyesore to the community. It will assist in stabilizing the neighborhood upon completion.	Laborers Payroll Clerk Typist	48 1 1 <u>50</u>	12 12 12	376,135

**SECTION 2.** The appropriate departments and agencies of the Consolidated City are authorized to take such actions as are necessary to effect the programs and purposes approved in Section 1 for the period of time therein stated.

Councilman Vollmer stated the firefighters of Indianapolis had brought 25,000 signatures on petitions for a \$2,100 across the board increase in their contracts and 79 signatures against the increase. Mr. Donald Wolf, President of the Firefighters Union, informed the Council that all signatures were obtained on the previous Saturday and Sunday from 30th Street to the northern boundary of the city. I encouraged the support of the Council members in the firefighters contract negotiations.

### INTRODUCTION OF GUESTS

Mrs. Journey introduced Mr. Donald Wolf, President of the Firefighters Union, and all the firefighters in the audience.

### INTRODUCTION OF PROPOSALS

**PROPOSAL NO. 439, 1977.** Introduced by Mr. Patterson. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance changing the name of certain street in Marion County, Indiana;" and the President referred it to the Metropolitan Development Committee.

**PROPOSAL NO. 440, 1977.** Introduced by Mr. Durnil. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-Coun

Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating thirteen thousand dollars (\$13,000) in the Consolidated County Fund for purposes of the Buildings Division, Department of Metropolitan Development, and reducing certain other appropriations for that division;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 441, 1977. Introduced by Mr. McPherson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating six thousand dollars (\$6,000) in the Consolidated County Fund for purposes of the Air Pollution Control Division, Department of Public Works and reducing certain other appropriations for that division;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 442, 1977. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating ten thousand dollars (\$10,000) in the Flood Control District Fund for purposes of the Flood Control Division, Department of Public Works, and reducing certain other appropriations for that division;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 443, 1977. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating four hundred three thousand six hundred forty dollars (\$403,640) in the Sanitation General Fund for purposes of the Sanitation Division, Department of Public Works, and reducing certain other appropriations for that division;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 444, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance directing the County Auditor to transfer the surpluses in the County Construction Fund to the County Sinking Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 445, 1977. Introduced by Councilman Tinder. The Clerk read the proposal entitled: "A Proposal for a Council Resolution establishing the dates of regular meetings for 1978.

PROPOSAL NOS. 446 - 451, 1977. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposal for rezoning ordinances certified from the Metropolitan Plan Commission on October 21, 1977;" and President referred them to the Committee of the Whole to be heard under Special Orders - Final Adoption.

#### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 249, 1977. Mr. Tintera presented the committee report in place of Mr. Schneider. Since the committee needs more time to study the proposal, it was postponed until the meeting of November 7, 1977.

PROPOSAL NO. 399, 1977. By consent this proposal was postponed until the meeting of November 21, 1977.

PROPOSAL NO. 400, 1977. In place of Mr. Schneider who was unable to attend the last County & Townships Committee meeting, Mr. Tintera presented the committee report stating the committee unanimously recommended passage of this proposal. The Council recessed to a Committee of the Whole at 7:33 p.m. for public hearing, and reconvened at 7:34 p.m. Following discussion and public hearing, the proposal was adopted on the following roll call vote; viz:

23 AYES: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.*

NO NOES.

6 NOT VOTING: *Mr. Cantwell, Mr. Dowden, Mr. Durnil, Mr. Kimbell, Mr. McPherson and Mr. West.*

Proposal No. 400, 1977, was retitled FISCAL ORDINANCE NO. 91, 1977, and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 91, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional ninety thousand seven hundred ten dollars (\$90,710) in the County General Fund for purposes of several county offices 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 employment of personnel financed from C.E.T.A. grants.

**SECTION 2.** The sum of ninety thousand seven hundred ten dollars (\$90,710) 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:

CO-OPERATIVE EXTENSION	COUNTY GENERAL FUND
10. Salaries	\$ 48,426
AUDITOR	
10. Salaries	5,250
COUNTY CLERK	
10. Salaries	21,233
RECORDER	
10. Salaries	5,923
AUDITOR	
24. Insurance	5,148
25. F.I.C.A.	4,730
TOTAL INCREASES	<u>\$ 90,710</u>

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

	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	<u>\$ 90,710</u>
TOTAL REDUCTIONS	\$ 90,710

**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. 404, 1977.** After a discussion with Sergeant Lou Overton, fiscal advisor from the Sheriff's Department, Mr. West announced that apparently there was not enough money to fund the Community Corrections program in December. In order to have time to research this problem, he moved that Proposal No. 404, 1977, be postponed until the meeting of November 7, 1977. The motion carried by unanimous voice vote. The Council recessed at 7:36 p.m. to a Committee of the Whole for public hearing and reconvened at 7:37 p.m.

**PROPOSAL NO 427, 1977.** Mr. West presented the committee report stating that the \$603 appropriated was for the Juvenile Court Administrator to attend a program in Minneapolis dealing with Court Information Systems. The Council recessed to a Committee of the Whole at 7:40 p.m. for public hearing and reconvened at 7:41 p.m. Following discussion and public hearing, Proposal No. 427, 1977, was adopted on the following roll call vote; viz:

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

1 NO: Mr. Howard.

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

Proposal No. 427, 1977, was retitled FISCAL ORDINANCE NO. 88, 1977, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 88, 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 three dollars (\$603.00) in the Crime Control Fund for purposes of the Juvenile Court 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 program for the Juvenile Court financed by L.E.A.A. Grant No. 76C-G04-15-083.

SECTION 2. The sum of six hundred three dollars (\$603.00) 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:

	JUVENILE COURT	CRIME CONTROL FUND
33. Travel		\$ 328.00
35. Operating Expenses		275.00
TOTAL INCREASES		\$ 603.00

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

	CRIME CONTROL FUND
Unappropriated and unencumbered Crime Control Fund	\$ 603.00
TOTAL REDUCTIONS	\$ 603.00

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.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 397, 1977. Mr. Tintera stated the County & Township committee recommended passage of this proposal transferring \$15,000 within th

County Home budget to be used for necessary repair work. Following discussion, Mr. Tintera moved, seconded by Mr. Howard, to adopt this proposal. The motion carried on the following roll call vote; viz:

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

NO NOES.

NOT VOTING: Mr. Bayt, Mr. Cantwell, Mr. Gilmer, Mr. Kimbell, and Mr. West.

Proposal No. 397, 1977, was retitled FISCAL ORDINANCE NO. 89, 1977, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 89, 1977**

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating fifteen thousand dollars (\$15,000) in the County General Fund for purposes of the Marion County Home and reducing certain other appropriations for that agency.

**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 purposes of additional expenditures.

SECTION 2. The sum of fifteen thousand dollars (\$15,000) 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:

MARION COUNTY HOME	COUNTY GENERAL FUND
21. Contractual Services	\$ 15,000
TOTAL INCREASES	\$ 15,000

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

MARION COUNTY HOME	COUNTY GENERAL FUND
50. Properties	\$ 15,000
TOTAL REDUCTIONS	\$ 15,000

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

PROPOSAL NO. 398, 1977. Councilman Tintera stated the purpose of this proposal was to ratify the state's actions of establishing a 9% increase in the 1977 rates for the County Home effective January 1, 1978. Following discussion, this proposal was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. McPherson, Mr. Patterson, 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. Clark, Mr. Hawkins, Mr. Kimbell, Mr. Miller and Mr. Walters.

Proposal No. 398, 1977, was retitled GENERAL RESOLUTION NO. 20, 1977, and reads as follows:

**CITY-COUNTY GENERAL RESOLUTION NO. 20, 1977**

A GENERAL RESOLUTION approving the schedule of charges for the care and maintenance of patients and residents of the Marion County Home and Julietta Convalescent Center as fixed by the County Home Board.

WHEREAS, pursuant to IC 1971, 12-4-3-9, the schedule of charges for the care and maintenance of patients and residents of the Marion County Home and Julietta Convalescent Center shall be fixed by the County Home Board at its May meeting, and if such schedule of charges is increased, shall become effective on January 1 of the following year only if approved by resolution of the City-County Council; and

WHEREAS, the County Home Board desires that the City-County Council approve such schedule of charges effective on January 1, 1978; and

WHEREAS, this Council finds that it is in the best interest of the citizens of Marion County and the patients and residents of the County Home that such new schedule of rates be approved; now, therefore:

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

SECTION 1. The four types of classes of care established by the County Home Board, on the basis of the regulations of the Indiana Health Facilities Council and the United States Department of Health, Education and Welfare with respect of Medicare and Medicaid eligible facilities, are as follows, to-wit:

Comprehensive, Upper Intermediate, Lower Intermediate, and Residential.

SECTION 2. The rates for care in each of the categories set forth in Section 1 of this Resolution as established by the County Home Board of May 11, 1977, are approved for the respective classes of care as follows:

1. Comprehensive Care shall be at the rate of \$24.73 per day per person.
2. Upper Intermediate Care shall be at the rate of \$21.00 per day per person.
3. Lower Intermediate Care shall be at the rate of \$19.64 per day per person.
4. Residential Care shall be at the rate of \$12.64 per day per person.

SECTION 3. The rates established and approved by this Resolution shall be effective on and after January 1, 1978.

PROPOSAL NOS. 430, 431 and 432, 1977. By consent, these proposals were voted upon as a whole. Following a brief discussion concerning the transportation proposals, Mr. Miller moved the following amendment:

CITY—COUNTY COUNCIL MOTION

President:

I move to amend Proposal No. 430, 1977, by striking Proposal No. 430, 1977, as produced, and substituting therefor the draft entitled Proposal No. 430, 1977, First Revision.

Donald W. Miller

The motion carried by unanimous voice vote. Proposal Nos. 430, As Amended, 431 and 432, 1977, were then adopted on the following roll call vote; viz:

YES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Darnell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. Van Vaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.  
NOES.

Proposals Nos. 430, As Amended, 431, and 432, 1977, were retitled GENERAL ORDINANCE NOS. 126, 127, and 128, 1977, respectively, and read as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 126, 1977

GENERAL ORDINANCE establishing weight limits on certain streets [Amends Code Section 29-224].

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, specifically "Sec. 29-224. Trucks on certain streets restricted," be, and the same is hereby amended by the addition of the following, to wit:

*11,000 pounds gross weight:*

Mary Lane from Stop 11 Rd to McGregor Rd  
Louise Drive from Mary Lane to Katherine Drive  
Katherine Drive from Stop 11 Rd to McGregor Rd

PART II

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, for violations of the provisions amended by this ordinance, except that any provision for imprisonment shall not apply.

PART III

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

CITY-COUNTY GENERAL ORDINANCE NO. 127, 1977

A GENERAL ORDINANCE changing speed limits on certain portions of Westfield Boulevard [Amends Code Section 29-136] .

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, specifically "Sec. 29-136. Alteration of prima facie speed limits," be, and the same hereby amended by the deletion of the following, to wit:

- Westfield Blvd:
- 45 mph Between 75th St and 91st St
- 35 mph Between 91st St and 96th St

PART II

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, specifically "Sec. 29-136. Alteration of prima facie speed limits," be, and the same hereby amended by the addition of the following, to wit:

- Westfield Blvd:
- 40 mph Between White River Bridge and 96th St

PART III

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, for violations of the sections amended by this ordinance, except that any provision for imprisonment shall not apply.

PART IV

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

CITY-COUNTY GENERAL ORDINANCE NO. 128, 1977

A GENERAL ORDINANCE changing an intersection control at a certain intersection [Amends Code Section 29-92] .

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, specifically "Sec. 29-92. Schedule of Intersection Controls," be, and the same hereby amended by the deletion of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No 20, pg 7	N Post Rd & E 25th St	Post Rd	Stop

PART II

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, specifically "Sec. 29-92. Schedule of Intersection Controls," be, and the same hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No 20, pg 7	N Post Rd & E 25th St	(none)	Signal

PART III

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, for violations of the sections amended by this ordinance, except that no provision for imprisonment shall apply.

PART IV

This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 396, 1977. Mr. Miller presented the committee report on this proposal which amends the Municipal Code "Amusement Location" section so that it conforms with state and federal court decisions. Mr. Miller then moved the following amendment:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 396, 1977, by striking Proposal No. 396, 1977, as introduced and substituting therefor, the draft entitled Proposal No. 396, 1977, City Legal Revision.

**Donald W. Miller**

The motion carried by unanimous voice vote. Mr. Robert Elrod, General Counsel, then suggested the insertion of the following language to section 1, line 9, for clarification: "Insert after the word 'person,' subject to compulsory school attendance." Mr. Cantwell moved, seconded by Mr. Tintera, to amend Proposal No. 396, 1977, as suggested by Mr. Elrod. The motion carried by unanimous voice vote. Following discussion, Proposal No. 396, 1977, As Amended, was adopted on the following roll call vote; viz:

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

**NOES.**

**NOT VOTING:** Mr. Anderson.

Proposal No. 396, 1977, As Amended, was retitled GENERAL ORDINANCE NO. 129, 1977, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 129, 1977**

A GENERAL ORDINANCE amending Chapter 17, Articles VI and VII of the Code of Indianapolis and Marion County to delete a provision relating to the age of persons who may play an amusement machine, and to allow license revocation in the event of a violation of law committed or allowed by a licensee or employee of an amusement location or by an exhibitor of an amusement machine or his employee.

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

**SECTION 1. Sec. 17-185 of Chapter 17 of the Code of Indianapolis and Marion County, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:**

**Sec. 17-185. Unlawful acts.**

**For the purposes of this article, the following acts shall be deemed to be unlawful as herein stated:**

- (a) It shall be unlawful to own or operate any location fitting the definition of an "amusement location" as stated in this article, without an amusement location license issued by the city controller.
- (b) It shall be unlawful to allow to be operated in any public place any amusement machine without an amusement machine license issued by the city controller.
- (c) No person ~~shall be~~ subject to compulsory school attendance shall be permitted to be present in an amusement location ~~during the hours established by state statute or city ordinance~~ such hours as would constitute a violation of the laws of the state of Indiana requiring compulsory school attendance [IC 20-8.1-3-1 -- IC 20-8.1-3-20].
- (d) No person who has not reached the age of eighteen (18) years shall be permitted to be present in an amusement location after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent or legal guardian.

**SECTION 2. Sec. 17-188 of Chapter 17 of the Code of Indianapolis and Marion County, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:**

**Sec. 17-188. Operation.**

- (a) All amusement locations shall be kept in a clean, healthful and sanitary condition at all times and the city controller shall have the power to determine if such room or rooms are kept in sanitary condition and for such purpose, when desired, have the assistance of the administrator of the division of buildings and the health and hospital corporation of Marion County. If said controller shall determine, after investigation by the division of buildings or the health and hospital corporation of Marion County, that an unsanitary condition exists within an amusement location or on property immediately adjacent to the amusement location, which property is under the control of the amusement location owners or their lessee or lessor, he shall have the power to suspend the amusement location license for such premises until such unsanitary condition is rectified.
- (b) No licensee under this article, or his employee, shall permit persons to congregate in a disturbing manner ~~on the premises of the amusement location~~ within said amusement location or on parking areas or other property immediately adjacent to or normally used for purposes of parking for said amusement location, which property is under the control of the amusement location owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the license of the amusement location by the controller.
- (c) No licensee under this article, or his employee, shall violate any state statute or city ordinance, or allow any other person to commit such violation, within said amusement location or on parking areas or other property immediately adjacent to or normally used for purposes of parking for said amusement location, which property is under the control of the amusement location owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the license of the amusement location by the controller.
- (d) The penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County shall not apply to this section.

**SECTION 3. Article VII of Chapter 17 of the Code of Indianapolis and Marion County, specifically Sec. 17-224, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:**

**Sec. 17-224. ~~It shall be unlawful for any person to~~ Unlawful acts.**

- (a) For the purpose of this section, "exhibitor" shall mean any person owning or conducting a place of business in the city and operating or exhibiting at such place of business one (1) or more amusement machines which are designed to register a score.
- (b) ~~It shall be unlawful for any person to~~ disturb in a disturbing manner on the premises of his place of business. No exhibitor or his employee shall permit persons to congregate in a disturbing manner on the premises of his place of business.



(c) No exhibitor or his employee shall violate any state statute or city ordinance, or allow any other person to commit such violation on the premises of the exhibitor's place of business.

(d) A violation of this section shall be sufficient grounds for revocation by the controller of the license or licenses held by the exhibitor for any or all amusement machines located on his premises. The penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County shall not apply to this section.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 437, 1977. Mr. West informed the Council that the Public Safety & Criminal Justice Committee recommended the passage of this proposal with the same dollar figure of \$57,100, as introduced; however, the composition of the amount was different. Following discussion, Proposal No. 437, 1977, was adopted on the following roll call vote; viz:

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

NOES:

NOT VOTING: Mrs. Coughenour, Mr. Rippel and Mr. Schneider.

Proposal No. 437, 1977, was retitled FISCAL ORDINANCE NO. 90, 1977, and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 90, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating fifty-seven thousand one hundred dollars (\$57,100) in the County General Fund for purposes of the Juvenile Court and reducing certain other appropriations for that office.

#### 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 purposes of additional supplies and contractual services.

SECTION 2. The sum of fifty-seven thousand one hundred dollars (\$57,100) 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:

	JUVENILE COURT	COUNTY GENERAL FUND
21. Contractual Services		\$ 27,100
22. Supplies		30,000
TOTAL INCREASES		\$ 57,100

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

JUVENILE COURT  
10. Personal Services  
TOTAL REDUCTIONS

COUNTY GENERAL FUND  
\$ 57,100  
\$ 57,100

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

PROPOSAL NO. 401, 1977. By consent, Proposal No. 401, 1977, was postponed until the meeting of November 7, 1977.

PROPOSAL NO. 428, 1977. By consent, Proposal No. 428, was postponed until the meeting of November 7, 1977, because it was still in committee.

PROPOSAL NOS. 446 - 451, 1977. No action was taken on these proposals, and they were retitled REZONING ORDINANCES NOS. 146 - 151, 1977, and read as follows:

REZONING ORDINANCE NO. 146, 1977 77-Z-58 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
5400 LAVA LANE, INDIANAPOLIS  
Freda Wright, Robert K. & Virginia Yeager by Raymond Good, Attorney, 5972 Madison Avenue request rezoning of 32.70 acres, being in A-2 district, to D-2 classification to permit residential use by platting.

REZONING ORDINANCE NO. 147, 1977 77-Z-74 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 16  
1001 NORTH COLLEGE AVENUE, INDIANAPOLIS  
Indianapolis Power & Light Co. by Marcus E. Woods, Secretary by Clark L. Snyder, Attorney, 25 Monument Circle requests rezoning of 0.52 acre, being in C-1 and I-3 districts, to SU-18 classification to permit an electrical substation.

REZONING ORDINANCE NO. 148, 1977 77-Z-153 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
7200 SHELBY STREET, INDIANAPOLIS  
Edward H. & Mary A. Stumph, Ernest W. & Dorothy M. Pierce and Lawrence S. Hays by Robert Lively, Attorney, 5330 Madison Ave. request rezoning of 9.82 acres, being in A-2 district, to C-1 classification to permit construction of a five-unit office building complex, each building two stories in height.

REZONING ORDINANCE NO. 149, 1977 77-Z-154 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 21  
268, 270 LYNN STREET, NORTH, INDIANAPOLIS  
Oberholtzer Construction Corp., Inc. by Dan M. Oberholtzer, 284 Lynn Street North requests rezoning of 0.19 acre, being in I-4-U district, to C-ID classification to permit maintenance shop for company vehicles.

REZONING ORDINANCE NO. 150, 1977 77-Z-158 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 24  
5508 ELMWOOD AVE., INDIANAPOLIS  
Cummins-Allison Corporation, successor to Allison Coupon Co. by Michael J. Kiat attorney, 3045 South Meridian Street requests rezoning of 5.00 acres, being in A-2 and I-3-S districts, to I-2-S classification to permit the construction and operation of warehouse with offices.

REZONING ORDINANCE NO. 151, 1977 77-Z-160 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25

8803 MADISON AVENUE, INDIANAPOLIS

R. J. Realty, Inc. by Michael J. Kias, Attorney, 3045 South Meridian Street requests rezoning of 12.91 acres, being in A-2 district, to C-3 classification to permit commercial development.

UNFINISHED BUSINESS

PROPOSAL NO. 276, 1977. Mr. Tinder reported that the Rules & Policy Committee is still hearing testimony concerning this proposal. At this time, he also announced that the Rules & Public Policy Committee will begin having its meetings on Mondays of the week prior to a Council meeting at 5:00 p.m. The next meeting is October 31, 1977, at 5:00 p.m.

OLD BUSINESS

President SerVaas suggested that since the National League of Cities was meeting December 3-7, 1977, the Council consider changing the date of the December 3, 1977, Council Meeting to December 12, 1977, and make that the only meeting of December. He also requested Council members planning to attend the National League of Cities Conference to please call Miss Lentz on Tuesday, October 25, 1977.

Mr. West stated that a report of his investigation concerning the Indiana Criminal Code was on page 3 of the Public Safety & Criminal Justice Minutes of October 20, 1977.

ANNOUNCEMENTS AND ADJOURNMENT

Mr. Schneider requested the Clerk to obtain a copy of the Comprehensive Land Use Plan for each Council member.

Councilman Howard announced a charity basketball game between the Black Democrats and Black Republicans, Friday, November 11, 7:30 p.m. at Attucks High School. The \$2.00 donation helps support Attucks's athletic program.

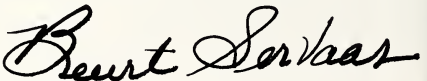
President SerVaas stated the Clerk's Office had received an invitation to the groundbreaking of the New Hope Foundation, 8450 Kane Road, on October 26, 1977.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:22 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 24th day of October, 1977.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis be affixed.

ATTEST:

  
President

  
Clerk of the City-County Council

(SEAL)