

**CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday February 26, 1979**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:11 p.m., Monday, February 26, 1979, President SerVaas in the chair. Councilman David McGrath 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. 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. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

CORRECTION OF JOURNAL

The Chair called for additions or corrections to the Journal of February 5, 1979. There being no additions or corrections, the minutes 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, February 26, 1979, 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**

February 7, 1979

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 ordinance:

GENERAL ORDINANCE NO. 9, 1979, amending the Code of Indianapolis and Marion County by amending Section 20-9 to make the provision dealing with loiterers, unlawful assemblies, and vagrants more precise and workable.

Respectfully submitted,

s/William H. Hudnut, III

February 8, 1979

REVISED NOTICE

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS on February 12 and February 19, 1979, and the Indianapolis COMMERCIAL on February 12 and February 20, 1979 a copy of CITY—COUNTY GENERAL ORDINANCE NO. 9, 1979.

Respectfully,

s/Beverly S. Rippy
City Clerk

REVISED

February 16, 1979

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on February 15, 1979 and February 22, 1979 a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 55, 56, 58, 59, 60, 62, 63, and 66, 1979 to be held on Monday, February 26, 1979 at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

PRESENTATION OF PETITIONS, MEMORIALS,
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 102, 1979. Mrs. Coughenour read and introduced this proposal stating the Council's intention of complying with the 1977 Clean Air Act when appointing members to the Indianapolis Air Pollution Control Board. A certified copy of the resolution was required by the Environmental Protection Agency by March 1st. Following a brief discussion, Proposal No. 102, 1979, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 10, 1979, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 10, 1979

A COUNCIL RESOLUTION stating the City-County Council's intention of complying with the 1977 Clean Air Act when appointing members to the Indianapolis Pollution Control Board.

WHEREAS, Section 128 of the Clean Air Act as amended in 1977, requires that at least a majority of the board members will represent the public interest and cannot derive a significant portion of their income from persons subject to air pollution permits or enforcement orders and that annually beginning July 1, 1979, each member will publicly disclose any potential conflicts of interest; 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, as the appointing body for certain members of the Indianapolis Air Pollution Control Board, will make those appointments so as to comply with the 1977 amendment to the Clean Air Act.

PROPOSAL NO. 101, 1979. Councilman Walters introduced this proposal endorsing House Bill No. 1363. Mr. Walters stated the concern of citizens who live near the airport for more local control of the airport authority. Mr. Kimbell moved, seconded by Mr. Tintera, to send the proposal to the Municipal Corporations Committee. The motion carried on a voice vote.

INTRODUCTION OF GUESTS

Councilman Howard introduced Mr. David Williams, a citizen active in Boys' Clubs and Christamore House. Councilman Durnil introduced Don Henry, Indianapolis Police Department, and Mr. and Mrs. Charles Hawkins, from the Irvington Community Council. Councilman Vollmer invited citizens in support of the multi-service center proposals to stand. Former councilmen Dwight Cottingham and Harry Robbins were introduced by Mr. Clark.

INTRODUCTION OF PROPOSALS

PROPOSAL NOS. 67-71, 1979. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on February 8, 1979;" and the President referred them to the Committee of the Whole to be heard under Special Orders-Final Adoption.

PROPOSAL NO. 72, 1979. Introduced by Mrs. Brinkman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 85, 1978, to provide longevity pay for court employees equal to that of the firemen;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 73, 1979. Introduced by Mr. Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional four thousand four hundred sixty-eight dollars (\$4,468) in the County General Fund for purposes of the Pike Township Assessor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 74, 1979. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional twenty-three thousand seven hundred seventy-nine dollars (\$23,779) in the County General Fund for purposes of the 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. 75, 1979. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending City-County Fiscal Ordinance No. 91, 1978, authorizing changes in the personnel compensation schedule of the County Commissioner's Office;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 76, 1979. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 85, 1978, increasing the salary of the Judge of the Center Township Small Claims Court pursuant to IC 17-4-28;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 77, 1979. Introduced by Mr. Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance authorizing the City of Indianapolis to issue its 'Economic Development First Mortgage Revenue Bonds, Series 1979 (Chas. Todd Overall Cleaning Co., Inc. Project)' in the principal amount of four hundred thousand dollars (\$400,000) and approving and authorizing other actions in respect thereto;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 78, 1979. Introduced by Mr. Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 79, 1979. Introduced by Councilman Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution authorizing certain actions and proceedings with respect to certain proposed economic development bonds;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 80, 1979. Introduced by Councilman Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 81, 1979. Introduced by Councilman Durnil. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional forty-two thousand seven hundred twenty-four dollars (\$42,724) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Division of Planning and Zoning, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 82, 1979. Introduced by Mrs. Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional three hundred seventy-five thousand dollars (\$375,000) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste Division, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 83, 1979. Introduced by Mrs. Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating five hundred sixty-seven thousand five hundred dollars (\$567,500) in the Sanitation General Fund for purposes of the Department of Public Works and reducing certain other appropriations for that division;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 84, 1979. Introduced by Mr. McGrath. 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. 85, 1979. Introduced by Mr. McGrath. 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. 86, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing an intersection control at a certain intersection;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 87, 1979. Introduced by Mr. McGrath. 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. 88, 1979. Introduced by Mr. McGrath. 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. 89, 1979. Introduced by Mr. McGrath. 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. 90, 1979. Introduced by Mr. McGrath. 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. 91, 1979. Introduced by Mr. McGrath. 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. 92, 1979. Introduced by Mr. McGrath. 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. 93, 1979. Introduced by Mr. McGrath. 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. 94, 1979. Introduced by Mr. McGrath. 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. 95, 1979. Introduced by Mr. McGrath. 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. 96, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance designating a certain alley as one-way [Amends Code Section 29-166];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 97, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting stopping, standing or parking on a certain portion of Delaware Street [Amends Code Section 29-268];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 98, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance providing a 11,000 pound weight limit on certain portions of Arbor Avenue and Henry Street [Amends Code Section 29-224];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 99, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving the actions of the Transportation Board with respect to certain capital improvements within the Metropolitan Thoroughfare District for the year 1979;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 100, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating three hundred fifty thousand dollars (\$350,000) in the Transportation General Fund for purposes of the Department of Transportation and reducing certain other appropriations for that department;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 103, 1979. Introduced by Mr. Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 85, 1978, to change a part-time position in the Perry Township Small Claims Court to a full-time position;" and the President referred it to the County & Townships Committee.

PROPOSAL NOS. 104-109, 1979. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on February 23, 1979;" and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

MODIFICATIONS OF SPECIAL ORDERS

PROPOSAL NO. 110, 1979. Mr. Schneider moved, seconded by Mr. Gilmer, that the rules of the Council on preparation and introduction of proposals be suspended to allow the introduction of Proposal No. 110, 1979. The motion carried by unanimous voice vote. In response to a question posed by Councilman West, Robert Elrod, General Counsel, stated that any proposal can be introduced even if the funds are not certified by the Auditor, as long as he is aware of the proposal. The proposal entitled: "A Proposal for A Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and

appropriating an additional thirty-seven thousand seven hundred sixty dollars (\$37,760) in the County General Fund for purposes of the County Recorder and the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 39, 1979. Mr. West reported that unspent funds from 1978 had been reappropriated and added to this proposal for a total appropriation of \$45,522. He then moved the adoption of the Committee Recommendations version of Proposal No. 39, 1979, which was adopted by a unanimous voice vote. Because of the increase in appropriation, the proposal would have to be re-advertised. He moved the postponement of this proposal until the March 12th meeting. The motion carried by unanimous voice vote.

PROPOSAL NO. 55, 1979. In accordance with Council rules, Chairman Dowden yielded to Miss Parker for the presentation of the committee report since he had dissented. Miss Parker explained that of the \$397,750, \$290,250 was for multi-service centers and \$107,500 for senior citizens services. If adopted, this funding would bring the respective budgets to the original level requested in 1979. She then moved, seconded by Mr. Kimbell, its adoption.

During discussion, Mr. Dowden and Mr. Tintera opposed Proposal No. 55, 1979, on the basis that the funding was adopted in the budget which the Council passed in September and the Council should maintain the budget. Councilmen Howard, Pearce, Vollmer, and Page stated their support of the proposal. Councilmen Lyons and Clark voiced their opposition. The Council recessed to a Committee of the Whole at 7:35 p.m. for public hearing during which time the following citizens commented: Mr. Alfred Kerst, President, Council on Aging, encouraged the maintaining of senior citizen services; Mrs. Dorothy Burris, Director, Citizens Multi-Service Center, stated the multi-service center would have to close if additional funding was not forthcoming; Mr. John McLane, questioned the amount of funding being cut; and, Mr. Clark Miller, Director, Mary Rigg Multi-Service Center, explained that this center needed more money this year. The Council reconvened at 7:45 p.m. Following public hearing, Proposal No. 55, 1979, was adopted on the following roll call vote; viz:

16 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

13 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, and Mr. Tinder.

Proposal No. 55, 1979, was retitled FISCAL ORDINANCE NO. 13, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 13, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional three hundred ninety-seven thousand seven hundred fifty dollars (\$397,750) in the City General Fund for purposes of the Division of Community Services, Department of Administration and reducing the unappropriated and unencumbered balance in the Community Services Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of providing for the return of funds cut from the 1979 budget for multi-service centers and senior citizen services financed by a Community Development Block Grant.

SECTION 2. The sum of three hundred ninety-seven thousand seven hundred fifty dollars (\$397,750) 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

DIVISION OF

COMMUNITY SERVICES

CITY GENERAL FUND

21. Contractual Services

\$397,750

TOTAL INCREASES

\$397,750

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

COMMUNITY SERVICES FUND

Unappropriated and unencumbered

Community Services Fund

\$397,750

TOTAL REDUCTIONS

\$397,750

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

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

PROPOSAL NO. 56, 1979. Chairman Dowden not having voted with the prevailing side of the committee report, yielded to Miss Parker. Miss Parker reported that this proposal was a companion proposal to Proposal No. 55, 1979, although the sources of funding were different. The Council recessed to a Committee of the Whole at 7:55 p.m. for public hearing, and reconvened at 7:56 p.m. The proposal was then adopted on the following roll call vote; viz:

20 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

9 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Miller, Mr. Schneider, Mr. SerVaas, Mrs. Stewart and Mr. Tinder.

Proposal No. 56, 1979, was retitled FISCAL ORDINANCE NO. 14, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 14, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional eighty-five thousand dollars (\$85,000) in the City General Fund for purposes of the Division of Community Services, Department of Administration, and reducing the unappropriated and unencumbered balance in the Community Services Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of funding core services for Title XX eligible applicants in the human resource programs sponsored by the City of Indianapolis for a period of five (5) months financed by Indianapolis Foundation and Title XX.

SECTION 2. The sum of eighty-five thousand dollars (\$85,000) 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

DIVISION OF

COMMUNITY SERVICES

CITY GENERAL FUND

10. Personal Services	\$ 4,627
21. Contractual Services	79,793
24. Current Charges	272
25. Current Obligations	<u>308</u>
TOTAL INCREASES	\$85,000

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

Unappropriated and unencumbered

Community Services Fund

\$85,000

TOTAL REDUCTIONS

\$85,000

SECTION 5. The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax

regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the City Controller, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

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

PROPOSAL NO. 59, 1979. By consent, this proposal was heard before Proposal No. 58, 1979, which is the umbrella proposal. The two proposals are interrelated. Chairman Dowden reported that \$550,000 was appropriated for the development costs associated with South Senate Industrial Park. Money set aside for other community development projects which never initiated is to be used. The Council recessed to a Committee of the Whole at 7:58 p.m. for public hearing, and reconvened at 7:59 p.m. Proposal No. 59, 1979, was then adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Dumil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

NO NOES.

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

Proposal No. 59, 1979, was retitled FISCAL ORDINANCE NO. 16, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 16, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional five hundred fifty thousand dollars (\$550,000) in the Redevelopment General Fund for purposes of the Division of Urban Renewal and reducing the unappropriated and unencumbered balance in the Community Services Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of furthering the general goals of the Indianapolis Community Development Program financed by a Community Development Block Grant.

SECTION 2. The sum of five hundred fifty thousand dollars (\$550,000) 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:

METROPOLITAN DEVELOPMENT	REDEVELOPMENT
URBAN RENEWAL	GENERAL FUND
21. Contractual Services	\$140,000
50. Properties	<u>410,000</u>
TOTAL INCREASES	\$550,000

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

Unappropriated and unencumbered	
Community Services Fund	\$550,000
TOTAL REDUCTIONS	\$550,000

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

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

PROPOSAL NO. 58, 1979. Councilman Durnil explained that several projects in previous years for which money had been set aside had never developed. Approximately \$1,222,750 of community development money was now available for the following five projects: 1. Reinstatement of budget reduction for multi-service centers (\$290,250). 2. Reinstatement of budget reduction for senior citizen services (\$107,500). 3. Development of South Senate Industrial Park (\$550,000). 4. Partial funding for a multi-service center in the Concord neighborhood (\$150,000). 5. Funding a neighborhood clean-up program operated by Citizens' Forum (\$25,000). He then moved, seconded by Mr. Schneider, the adoption of Proposal No. 58, 1979, Committee Recommendations. The motion carried on an unanimous voice vote. The Council recessed to a Committee of the Whole at 8:03 p.m. for public hearing, and reconvened at 8:04 p.m. Following public hearing, Proposal No. 58, 1979, As Amended, was adopted on the following roll call vote; viz:

21 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

7 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. McGrath, Mr. Miller and Mr. Schneider.

1 NOT VOTING: Mr. Cantwell.

Proposal No. 58, 1979, As Amended, was retitled FISCAL ORDINANCE NO. 15, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional nine hundred seventy-two thousand seven hundred fifty dollars (\$972,750) in the Community Services Fund for purposes of the Division of Community Development, Department of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Community Services Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of furthering the general goals of the Indianapolis Community Development Program financed by a Community Development Block Grant.

SECTION 2. The sum of nine hundred seventy-two thousand seven hundred fifty dollars (\$972,750) 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:

METROPOLITAN DEVELOPMENT		
COMMUNITY DEVELOPMENT		
	ADMINISTRATION	COMMUNITY SERVICES FUND
21.	Contractual Services	<u>\$972,750</u>
	TOTAL INCREASES	<u>\$972,750</u>

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

	COMMUNITY SERVICES FUND
Unappropriated and unencumbered	
Community Services Fund	<u>\$972,750</u>
TOTAL REDUCTIONS	<u>\$972,750</u>

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

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

PROPOSAL NO. 60, 1979. Mr. Durnil explained that the \$377,000 is an appropriation of monies received from HUD which was not anticipated at budget time. The funds are for the Indianapolis Housing Authority to use for the renovation of existing facilities. Mr. Fred Thomas of the Indianapolis Housing Authority, stated in response to a question from Mr. Miller, that an additional 130 units have been made inhabitable. The Council recessed to a Committee of the Whole at 8:09 p.m. for public hearing, and reconvened at 8:10 p.m. Following public hearing, the proposal was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

5 NOES: Mrs. Coughenour, Mr. Lyons, Mr. McGrath, Mr. Miller, and Mr. Schneider.

1 NOT VOTING: Mr. Dowden.

Proposal No. 60, 1979, was retitled FISCAL ORDINANCE NO. 17, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 17, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional three hundred seventy-seven thousand dollars (\$377,000) in the Community Services Fund for purposes of the Division of Community Development Administration, Department of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Community Services Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of utilizing available housing units to the greatest extent feasible, through the Indianapolis Housing Authority. Funds will be used to rehabilitate existing public housing units that do not now meet standards for habitation, financed by a Community Development Block Grant.

SECTION 2. The sum of three hundred seventy-seven thousand dollars (\$377,000) 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:

METROPOLITAN DEVELOPMENT		
COMMUNITY DEVELOPMENT		
	ADMINISTRATION	COMMUNITY SERVICES FUND
21.	Contractual Services	<u>\$377,000</u>
	TOTAL INCREASES	\$377,000

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

Unappropriated and unencumbered		
	Community Services Fund	\$377,000
	TOTAL REDUCTIONS	\$377,000

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

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

PROPOSAL NO. 62, 1979. Public Safety & Criminal Justice Committee Chairman, Steve West, reported that this proposal appropriated \$72,527 for the Sheriff's communication center. The Council recessed to a Committee of the Whole at 8:11 p.m. for public hearing, and reconvened at 8:12 p.m. Proposal No. 62, 1979, was then adopted on the following roll call vote; viz:

26 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

3 NOT VOTING: Mr. Dowden, Mr. Lyons and Mr. Patterson.

Proposal No. 62, 1979, was retitled FISCAL ORDINANCE NO. 18, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional seventy-two thousand five hundred twenty-seven dollars (\$72,527) in the Crime Control Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of completing the communications center of the Marion County Sheriff as provided by Federal Grant No. 78C-C02-15-030.

SECTION 2. The sum of seventy-two thousand five hundred twenty-seven dollars (\$72,527) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SHERIFF	CRIME CONTROL FUND
34. Equipment	\$72,527
TOTAL INCREASES	\$72,527

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

Unappropriated and unencumbered	CRIME CONTROL FUND
Crime Control Fund	\$72,527
TOTAL REDUCTIONS	\$72,527

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. 63, 1979. Mrs. Coughenour reported that the \$3,000,000 appropriated in this proposal for the Broad Ripple Lift Station was appropriated last year but not spent. The Council recessed to a Committee of the Whole at 8:13 p.m. for public hearing, and reconvened at 8:14 p.m. Following discussion, the proposal was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

1 NO: Mr. Walters.

6 NOT VOTING: Mr. Boyd, Mr. Cantwell, Mr. Dowden, Mr. Howard, Mr. Patterson and Mr. Schneider.

Proposal No. 63, 1979, was retitled FISCAL ORDINANCE NO. 19, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 19, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional three million dollars (\$3,000,000) in the Sanitation General Fund for purposes of the Sanitation/Liquid Waste Division, Department of Public Works, and reducing the unappropriated and unencumbered balance in the Sanitation 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 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of securing the sewer capacity problem for two—five years by employing one, or a combination of, designated options at the Broad Ripple Lift Station to be funded by sewer user charges.

SECTION 2. The sum of three million dollars (\$3,000,000) 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/LIQUID WASTE DIVISION	SANITATION GENERAL FUND
50. Properties	\$3,000,000
TOTAL INCREASES	\$3,000,000

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

	SANITATION GENERAL FUND
Unappropriated and unencumbered Sanitation General Fund	\$3,000,000
TOTAL REDUCTIONS	\$3,000,000

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

PROPOSAL NO. 66, 1979. Due to a lack of funds in the Park General Fund, Mr. Gilmer reported that the Parks & Recreation Committee recommended striking Proposal No. 66, 1979. At the request of Councilman Clark, Fiscal Analyst, Stu Rhodes stated that the 1979 Parks budget had not been reduced, just the source of funding was different. Following discussion, it was recommended that the proposal would be introduced at a later date when a source of funding had been found. Mr. Gilmer moved, seconded by Mr. West, to strike Proposal No. 66, 1979. The motion carried by a voice vote.

SPECIAL ORDERS – UNFINISHED BUSINESS

PROPOSAL NO. 477, 1978. Mr. Tintera stated that this proposal had been before the Council in one form or another since November 13, 1978. He then moved the adoption of the amended version of the proposal entitled: "Proposal No. 477, 1978, Committee Recommendations". The motion failed on the following roll call vote; viz:

13 AYES: Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. Miller, Miss Parker, Mr. SerVaas, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

16 NOES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. McGrath, Mr. Page, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mrs. Stewart and Mr. Tinder.

Mr. West then moved, seconded by Mrs. Brinkman, to send the proposal to committee. The motion failed on a voice vote. Mr. Tintera then move the adoption of the Committee Recommendations version of Proposal No. 500, 1979, with an amendment to line 14 of Section 5, so that it read as follows: "g. a payment in lieu of taxes equal to all property taxes excluding only school taxes for the first three years". The motion carried on the following roll call vote; viz:

17 AYES: Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. Miller, Miss Parker, Mr. Patterson, Mr. SerVaas, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

11 NOES: Mr. Anderson, Mrs. Brinkman, Mr. Cantwell, Mr. Gilmer, Mr. Hawkins, Mr. McGrath, Mr. Page, Mr. Pearce, Mr. Schneider, Mrs. Stewart and Mr. Tinder.

1 NOT VOTING: Mr. Dowden.

Proposal No. 477, 1978, As Amended, was retitled SPECIAL RESOLUTION NO. 4, 1979, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1979

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either owned by or leased to a company; and

WHEREAS, Westside Christian Retirement Village, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City acquire, construct and equip an economic development facility and sell or lease the same to the Company or that the City loan the proceeds of such a financing to the Company for such purposes said economic development facility to be a 146,000 square foot elderly housing and nursing care facility, including the real estate on which it is located and the furnishings, machinery and equipment to be installed therein, to be located at 8610 West 10th Street, in Indianapolis, Indiana, on an approximate 15 acre tract of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (60 new jobs) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, subject to all required approvals under the Act and having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; 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 finds, determines and confirms that the promotion of diversification of industry and job opportunities in and near Indianapolis, Indiana, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines and confirms that the issuance and sale of revenue bonds of the City under the Act in an amount not to exceed \$9,050,000 for the acquisition, construction and equipping of the Project and sale or the leasing of the Project to the Company or the loaning of the proceeds of such a financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction and equipping of the Project, the City-County Council hereby finds, determines and confirms that if the requirements of item 5 herein are satisfactorily achieved that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be as authorized by law and is mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, subject to the City obtaining all approvals as may be required under the Act, including the advice of the Indianapolis Economic Development Commission and the approval of the Metropolitan Development Commission of Marion County, Indiana, and the Wayne Township Schools.

SECTION 4. All costs of the Project incurred after the Inducement Resolution passed by the Indianapolis Economic Development Commission, including reimbursement or repayment to the Company of moneys expended by the Company for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to

be included as part of the bond issue to finance said Project, and the City will thereafter either lease the same to the Company or loan the proceeds of such financing to the Company for the same purposes if the requirements of item 5 are satisfactorily achieved.

SECTION 5. This preliminary inducement approval shall be subject to:

- a. a marketing and feasibility study being completed by the firm of Leventhol & Horwath which is satisfactory to the Economic Development Commission and the City-County Council; and
- b. commitment for pre-occupancy entry fees for ~~33~~ 1/3% of the units prior to the Commission's considering financing document approval and recommending to the Indianapolis City-County Council that the Council pass an ordinance issuing the bonds; and
- c. all required local, state and federal approvals, licenses, and permits relating to health care facilities being obtained; and
- d. the requirement that eligibility for occupancy shall not be determined in any manner based upon race or religion; and
- e. a written guarantee of Medical Facilities, Inc. for working capital for 3 years; and
- f. a written legal opinion from Messrs. Ice, Miller, Donadio & Ryan that this project is allowed by the Act (IC 18-6-4.5).
- g. a payment in lieu of taxes equal to all property taxes excluding only school taxes for the first three years.

PROPOSAL NO. 521, 1978. At the request of Mr. Miller, this proposal was brought before the Council for discussion. Following a brief discussion, Mr. Clark moved, seconded by Mr. Patterson moved to table Proposal No. 521, 1978. The motion carried on the following roll call vote; viz:

14 AYES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, and Mr. Tinder.

13 NOES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Page, Miss Parker, Mr. Pearce, Mr. Tintera, Mr. Vollmer, and Mr. West.

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

The Chair requested a revote in order to record every Council member's vote. The motion again carried on the following roll call vote; viz:

15 AYES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart and Mr. Tinder.

14 NOES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Miss Parker, Mr. Pearce, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 535, 1978. Mr. McGrath presented the committee recommendations version of the proposal before the Council. It was adopted by unanimous voice vote. Proposal No. 535, 1978, As Amended, was then adopted on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

4 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mr. Clark, and Miss Parker.

Proposal No. 535, 1978, As Amended, was retitled GENERAL ORDINANCE NO. 10, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 10, 1979

A GENERAL ORDINANCE prohibiting stopping, standing and parking at certain times on certain days on portions of Northwestern Avenue [Amends Code Section 29-271].

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," specifically "Sec. 29-271. Stopping, standing and parking prohibited at designated location on certain days and hours," be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SUNDAY

from 6:00 a.m. to 9:00 a.m.

and from 3:00 p.m. to 6:00 p.m.

Northwestern Avenue, on both sides
from Twenty-fifth Street to Twenty-ninth Street

PART II

Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County" for violations of the section amended by this ordinance.

PART III

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

PROPOSAL NO. 61, 1979. Miss Parker reported that Municipal Corporations Committee recommended adopting the amendments to the Capital Improvement Board of Managers budget. She then moved the adoption of the Parker

amended version of the proposal. The Board had recommended additional amendments after the committee had had its meeting. The motion carried by unanimous voice vote. Proposal No. 61, 1979, As Amended, was then adopted on the following roll call vote; viz:

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

NO NOES.

2 NOT VOTING: Mrs. Brinkman and Mr. Clark.

Proposal No. 61, 1979, As Amended, was retitled GENERAL RESOLUTION NO. 1, 1979, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 1979

A GENERAL RESOLUTION approving certain amendments to the 1979 calendar year budget of the Capital Improvements Board of Marion County.

WHEREAS, by statute, the City-County Council is the reviewing authority for the approval of the budget of the Capital Improvements Board of Managers of Marion County, Indiana; and

WHEREAS, said Capital Improvements Board of Marion County has submitted certain amendments and revisions of its budget for the calendar year 1979; and

WHEREAS, the City-County Council has reviewed and considered the proposed amendments and changes in the budget; now, therefore:

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

SECTION 1. The calendar year budget, as amended, for the Capital Improvements Board for 1979 is hereby amended and approved in accordance with the proposals adopted by the Capital Improvements Board of Managers which are detailed as follows:

Budget Appropriations	1979	Increase	1979
	Approved		Budget
	Budget	(Decrease)	Budget
Operating Fund			
Services, Personal	\$1,280,150	\$	\$1,280,150
Services, Contractual	822,035	150,000	972,035
Parts, Supplies & Repairs	148,255		148,255
Employee Benefits	179,600		179,600
Miscellaneous	5,000		5,000
Insurance	150,000		150,000
Properties	44,965		44,965
Interest	80,405		80,405
Union Station Feasibility Study	-0-	2,305	2,305
Reserve	30,000	115,000	145,000
Total Operating Fund	\$2,740,410	\$267,305	\$3,007,715
Bond Fund	<u>1,201,875</u>		<u>1,201,875</u>
Total Budget Appropriations	<u>\$3,942,285</u>	<u>\$267,305</u>	<u>\$4,209,590</u>

	1979 Approved Budget	Increase (Decrease)	1979 Amended Budget
Revenues			
Fire Insurance Reimbursement	\$ -0-	\$ 70,000	\$ 70,000
Rental Income	700,500		700,500
Food Service & Concessions	400,150		400,150
Labor Reimbursements	245,000		245,000
Equipment Rental & Sale of Supplies	81,860		81,860
Miscellaneous Income	170,600		170,600
Hotel-Motel Receipts	2,139,825		2,139,825
Cigarette Tax Revenues	350,000		350,000
Interest Bond Fund	75,000		75,000
Total Revenues	\$4,162,935	\$ 70,000	\$4,232,935

SECTION 2. This resolution shall be in full force and effect from and after its adoption.

PROPOSAL NO. 22, 1979. Mr. Schneider moved, seconded by Mrs. Coughenour, the adoption of this proposal which increases the salaries for five positions in the Wayne Township Trustee's Office and the Small Claims Court. The motion carried on the following roll call vote; viz:

26 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

3 NOT VOTING: Mrs. Brinkman, Mr. Cantwell and Mr. Howard.

Proposal No. 22, 1979, was retitled GENERAL ORDINANCE NO. 11, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 11, 1979

A GENERAL ORDINANCE amending City-County General Ordinance No. 85, 1978, to increase the salaries authorized for the Wayne Township Trustee and Small Claims Court.

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

SECTION 1. Section 10 of City-County General Ordinance No. 85, 1978, be, and is hereby, amended by deleting the words and figures crosshatched, and inserting in lieu thereof the following:

Section 10. Wayne Township. The maximum salaries of the elected and appointed officers and employees of Wayne Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1979, and ending December 31, 1979, are fixed as follows:

<u>Position</u>	<u>Number of Personnel</u>	<u>Annual Rate Of Compensation</u>	<u>Total Compensation</u>
Township Trustee	1	11,040	11,040
Township Clerk	1	10,030	10,030
Advisory Board Members	3	700	2,100
Clerk for Small Claims Court	1	8,519	8,519
Clerk for Small Claims Court Judge for Small Claims Court	1	8,178	8,178
Clerk for Small Claims Court (Part time)	1	13,200	13,200
	1	3,150	3,150
POOR RELIEF PERSONNEL			
Suprs. of Investigators	1	10,112	10,112
Investigators	2	7,973	15,946
TOTAL	12		82,275

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

PROPOSAL NO. 35, 1979. Following a brief committee report by Mr. Schneider, this proposal adding the position of office supervisor to the personnel schedule of the Pike Township Trustee's Office was adopted on the following roll call vote; viz:

26 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

3 NOT VOTING: Mrs. Brinkman, Mr. Howard and Mr. Tintera.

Proposal No. 35, 1979, was retitled GENERAL ORDINANCE NO. 12, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 12, 1979

A GENERAL ORDINANCE amending City-County General Ordinance No. 85, 1978, authorizing changes in the personnel compensation schedule of the Pike Township Trustee's Office.

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

SECTION 1. Section 7 of City-County General Ordinance No. 85, 1978, be amended by deleting the crosshatched portions and adding the new positions and amounts underlined herein:

Section 7. Pike Township. The maximum salaries of the elected appointed officers and employees of Pike Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1979, and ending December 31, 1979, are fixed as follows:

<u>Position</u>	<u>Number of Personnel</u>	<u>Annual Rate of Compensation</u>	<u>Total Compensation</u>
Township Trustee	1	5,040	5,040
Township Clerk	1	6,615	6,615
Advisory Board Members	3	360	1,080
Small Claims Court Judge	1	14,400	14,400
Office Supervisor	<u>1</u>	<u>9,184</u>	<u>9,184</u>
Clerks for Small Claims Court			
Clerk I	4	8,684	34,736
Clerk II	1	7,700	7,700
Clerk III	1	7,000	7,000
Clerk (part time)	1	2,400	2,400
POOR RELIEF PERSONNEL			
Investigators	1	6,300	6,300
OTHER EMPLOYEES			
Chauffeurs	6	14,200	85,200
Probation	<u>4</u>	<u>11,000</u>	<u>44,000</u>
TOTAL	124 <u>25</u>		214,471 <u>223,655</u>

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

PROPOSAL NO. 57, 1979. Mr. Schneider emphasized the fact that this proposal for a transfer of \$18,919 in the Center Township Assessor's budget required no new money. The proposal was then adopted on the following roll call vote; viz:

26 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

3 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, and Mr. Howard.

Proposal No. 57, 1979, was retitled FISCAL ORDINANCE NO. 20, 1979 and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 20, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating eighteen thousand nine hundred nineteen dollars (\$18,919) in the County General Fund for purposes of the Center Township Assessor and reducing certain other appropriations for that division.

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 2.03(d) of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Center Township Assessor.

SECTION 2. The sum of eighteen thousand nine hundred nineteen dollars (\$18,919) 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:

CENTER TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
--------------------------	---------------------

21. Contractual Services	<u>\$18,919</u>
--------------------------	-----------------

TOTAL INCREASES	\$18,919
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SECTION 4. The said increased appropriation is funded by the following reductions:

CENTER TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
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24. Current Charges	<u>\$18,919</u>
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TOTAL REDUCTIONS	\$18,919
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SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 34, 1979. Administration Committee Chairman, Donald Miller, explained that this proposal increasing the number of paid vacation days for certain employees was the result of union negotiations made by the Mayor last fall. He then moved the committee report of "do pass". During discussion Mr. Miller brought out that county employees would be affected, and approximately five or six additional city employees and three or four county employees would need to be hired for a financial impact of about \$100,000. Mr. Boyd then moved, seconded by Mr. Clark, to table Proposal No. 34, 1979. The motion carried on a voice vote.

[Clerk's Note: At this time, the Council continued with other business, however, Proposal No. 34, 1979, was acted upon later in the meeting. The result of that action is recorded out of sequence for comprehensibility.]

Mr. Durnil moved, seconded by Mr. Miller, to reconsider Proposal No. 34, 1979. The motion carried on a voice vote. Councilmen Gilmer and Durnil stated their support of the measure on the basis that the Mayor bargained in good faith. Mr. Clark moved, seconded by Mr. Boyd, to amend the proposal by including only those employees of the City of Indianapolis. The motion failed on the following roll call vote; viz:

7 AYES: Mr. Anderson, Mr. Boyd, Mr. Clark, Mr. Dowden, Mr. Kimbell, Mr. Lyons, and Mr. Schneider.

22 NOES: Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

Proposal No. 34, 1979, was then adopted on the following roll call vote; viz:

28 AYES: Mr. Anderson, 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. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

1 NOT VOTING: Mr. Boyd.

Proposal No. 34, 1979, was retitled GENERAL ORDINANCE NO. 13, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 13, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Section 23-26(a) to provide employees increased vacation accrual after a certain number of years of experience.

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

SECTION 1. Section 23-26(a) of Article II of Chapter 23 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined and deleting the words crosshatched as follows:

Sec. 23-26. Vacation leave.

(a) Accrual:

(1) Employees with less than a total of ~~ten (10)~~ seven (7) years' employment shall receive ten (10) vacation leave days; the vacation leave shall accrue monthly at the rate of five-sixths of one leave day per month.

(2) Employees with a total of ~~ten (10)~~ seven (7) years' employment but less than ~~twenty (20)~~ fifteen (15) years' employment shall receive fifteen (15) vacation leave days, which shall accrue monthly at the rate of one and one-quarter (1 1/4) leave days per month.

(3) Employees with a total of ~~twenty (20)~~ fifteen (15) or more years' employment shall receive twenty (20) vacation leave days, which shall accrue at the rate of one and two-thirds (1 2/3) leave days per month.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. This ordinance shall be in effect from and after its passage by the council and compliance with IC 18-4-5-2.

PROPOSAL NO. 53, 1979. Councilman Miller reported that this proposal increased the annual Council member's salary on an average of 5.5 percent per year from 1979 through 1983. The committee recommended passage of a committee recommendations version. Mr. Pearce stated his opposition to the proposal on the basis that it was planned inflation. Mr. Pearce then moved, seconded by Mrs. Brinkman, to strike Proposal No. 53, 1979. The discussion continued with Mr. Howard stating that Indianapolis' Council members were

some of the lowest paid in Indiana. Mr. Vollmer said he believed the increase was a catch up to inflation, not planned inflation. Mr. Tintera stated that if the members did not vote a salary increase, they were in fact supporting a pay decrease. Mr. Clark voiced his opinion that a higher salary encourages the probably of obtaining more competent people to run for Council. The motion to strike then failed on the following roll call vote; viz:

14 AYES: Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Page, Mr. Pearce, Mr. SerVaas, Mr. Tintera, and Mr. Walters.

15 NOES: Mr. Anderson, Mr. Boyd, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Lyons, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Schneider, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, and Mr. West.

Mr. Miller moved, seconded by Mrs. Stewart, to amend Proposal No. 53, 1979, by the adoption of the committee recommendations version of Proposal No. 53, 1979. The motion carried on a unanimous voice vote. Mr. Vollmer then moved, seconded by Mr. Howard, to amend Proposal No. 53, 1979, Committee Recommendations, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 53, 1979, by deleting the crosshatched figures and inserting the underlined figures, as follows:

"Section 2-21(B)"					
	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>
Line 31	3,600	3,600 <u>4,000</u>	3,600 <u>4,427</u>	4,100 <u>4,884</u>	4,100 <u>5,373</u>
Line 32	50	50	50 <u>50</u>	63 <u>50</u>	75 <u>50</u>
Line 33	25	25 <u>25</u>	25 <u>25</u>	35 <u>25</u>	35 <u>25</u>
Line 34	1,200	1,275 <u>1,283</u>	1,350 <u>1,373</u>	1,425 <u>1,469</u>	1,425 <u>1,572</u>
Lines 35&36	600	650 <u>641</u>	700 <u>686</u>	750 <u>734</u>	750 <u>785</u>
Lines 37&38	400	425 <u>427</u>	450 <u>457</u>	475 <u>489</u>	475 <u>523</u>

s/Michael Vollmer

Mr. Vollmer explained that the new figures were determined by averaging the total compensation and increasing that amount by 7 percent per year. The amendment would provide each Council member with the same dollar amount per year. The Vollmer amendment failed on the following roll call vote; viz:

9 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Howard, Mr. Lyons, Mr. Page, and Mr. Vollmer.

17 NOES: Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, and Mr. Tintera.
3 NOT VOTING: Mr. Clark, Mr. Walters, and Mr. West.

Mr. Schneider moved, seconded by Mrs. Brinkman, to strike Proposal No. 53, 1979, As Amended. The motion carried on the following roll call vote; viz:

16 AYES: Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Miss Parker, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, and Mr. Walters.

13 NOES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Miller, Mr. Page, Mr. Patterson, Mrs. Stewart, Mr. Vollmer, and Mr. West.

PROPOSAL NO. 54, 1979. This proposal fixes the compensation of the mayor for the years 1979 through 1983. A seven percent increase per year is provided. Councilman Miller moved, seconded by Mr. Tintera, to amend Proposal No. 54, 1979, by the adoption of the committee recommendations version. The motion carried on a voice vote. Proposal No. 54, 1979, As Amended, was then adopted on the following roll call vote; viz:

21 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

7 NOES: Mr. Campbell, Mr. Cantwell, Mr. Howard, Mrs. Journey, Mr. Page, Mr. Pearce, and Mr. Walters.

1 NOT VOTING: Mr. Dowden.

Proposal No. 54, 1979, As Amended, was retitled GENERAL ORDINANCE NO. 14, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 14, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Section 2-144 to fix the compensation for the mayor of Indianapolis for the years 1980, 1981, 1982, 1983 and thereafter.

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

SECTION 1. Article III of Chapter 2 of the Code of Indianapolis and Marion County is hereby amended by deleting Section 2-144 which reads as follows:

Sec. 2-144. Compensation.

Effective January 1, 1976 , the compensation of the mayor of Indianapolis is determined and fixed as an annual salary of thirty-two thousand dollars (\$32,000.00) for the calendar year 1976, thirty-four thousand dollars (\$34,000.00) for the calendar year 1977, thirty-six thousand dollars (\$36,000.00) for the calendar year 1978, and thirty-eight thousand dollars (\$38,000.00) for the calendar year 1979 and thereafter, which amount shall be in addition to the use of an automobile to be provided him by the city, reimbursement of travel, meals and lodging expenses incurred in the performance of the duties of his office, and participation in other employee benefits on the same basis as other city employees.

SECTION 2. Article III of Chapter 2 of the Code of Indianapolis and Marion County is hereby amended by adding a new Section 2-144 to read as follows:

Sec. 2-144. Compensation.

Effective January 1, 1979, the compensation for the mayor of Indianapolis as an annual salary for the calendar year 1979 shall be thirty-eight thousand dollars (\$38,000); for the calendar year 1980 the annual salary shall be forty thousand six hundred sixty dollars (\$40,660); for the calendar year 1981 the annual salary shall be forty-three thousand five hundred dollars (\$43,500); for the calendar year 1982 the annual salary shall be forty-six thousand five hundred fifty dollars (\$46,550); and for the calendar year 1983 the annual salary shall be forty-nine thousand eight hundred dollars (\$49,800), which amount for each of the years shall be in addition to the use of an automobile, an account for expenses incurred in the performance of the duties of office, and participation in other employee benefits on the same basis as other city employees.

SECTION 3. The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the council and compliance with IC 18-4-5-2.

PROPOSAL NO. 53, 1979. Miss Parker moved, seconded by Mr. Page, to reconsider Proposal No. 53, 1979. The motion failed on the following roll call vote; viz:

14 AYES: Mr. Anderson, Mr. Boyd, Mr. Cantwell, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Miller, Mr. Page, Miss Parker, Mrs. Stewart, Mr. Vollmer, and Mr. West.

14 NOES: Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Durnil, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, and Mr. Walters.

1 NOT VOTING: Mr. Dowden.

PROPOSAL NOS. 64 and 65, 1979. Since these proposals were routine traffic proposals, consent was given to hear them together. Mr. McGrath stated that the committee recommended their passage. The proposals were adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

7 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mr. Dowden, Mr. Howard, Mr. Miller, Mr. Page, and Mr. Schneider.

Proposal Nos. 64 and 65, 1979, were retitled GENERAL ORDINANCES NOS. 15 and 16, 1979, respectively, and read as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 15, 1979

A GENERAL ORDINANCE prohibiting parking at all times on a certain portion of Pershing Avenue [Amends Code Section 29-267].

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, specifically "Sec. 29-267. Parking prohibited at all times on certain streets," be and the same is hereby amended by the addition of the following, to wit:

Pershing Avenue, on the west side,
from the north curbline of Eleventh Street
to a point forty-five feet north on Pershing Avenue.

PART II

Violation of this ordinance shall be subject to those penalties now provided in the Code of Indianapolis and Marion County for violations of the section amended by this ordinance.

PART III

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

CITY—COUNTY GENERAL ORDINANCE NO. 16, 1979

A GENERAL ORDINANCE changing Tremont Avenue between Fourteenth and Sixteenth Street from a one-way street to a two-way street [Amends Code Section 29-166].

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, specifically "Sec. 29-166. One-way streets and alleys designated — southbound," be and is hereby amended by the deletion of the following, to wit:

Tremont Avenue, from
Fourteenth Street to Sixteenth Street.

PART II

Violation of this ordinance shall be subject to those penalties now provided in the Code of Indianapolis and Marion County for violations of the section amended by this ordinance.

PART III

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

PROPOSAL NOS. 67-71 and 104-109, 1979. No action was taken on these proposals. They were retitled REZONING ORDINANCES NOS. 27-37, 1979, and read as follows:

**REZONING ORDINANCE NO. 27, 1979 78-Z-193 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7**

6401 NORTH KEYSTONE AVENUE, INDIANAPOLIS

The Keystone Reformed Church by Burlington Realty Associates by Jamestown Square North by Burke Mendenhall requests rezoning of 3.80 acres, being in D-7 district, to C-3 classification to permit commercial development.

**REZONING ORDINANCE NO. 28, 1979. 78-Z-220 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 18**

802 NORTH HOLT ROAD, INDIANAPOLIS

General Motors Corporation requests rezoning of 17.05 acres, being in PK-1 and I-4-U classification to permit expansion of existing manufacturing operation and off-street parking.

**REZONING ORDINANCE NO. 29, 1979 78-Z-221 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

1101 SOUTH KITLEY AVENUE, INDIANAPOLIS

Midland Venture and G & H Realty Co. request rezoning of 9.00 acres, being in A-2 and I-4-S districts, to I-5-S classification to provide for additional outside storage for existing business.

**REZONING ORDINANCE NO. 30, 1979 79-Z-1 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 20**

2450 SOUTH TIBBS AVENUE, INDIANAPOLIS

Huber, Hunt & Nichols, Inc. by D. L. Williams, Executive Vice President requests rezoning of 15.48 acres, being in I-3-U district, to C-ID classification for expansion of existing general contracting business.

**REZONING ORDINANCE NO. 31, 1979 79-Z-25 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 9**

2424 NORTHWESTERN AVENUE, INDIANAPOLIS

The City of Indianapolis, Department of Parks and Recreation, by Ray Crowe, Director, 142E East 29th Street requests rezoning of 4.38 acres, being in Park District-1 (PK-1) district, to Park District-2 (PK-2) classification to permit the construction of a new Flanner House and library.

**REZONING ORDINANCE NO. 32, 1979 78-Z-204 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

3750 KENTUCKY AVENUE, INDIANAPOLIS

Elden J. Cox, 3750 Kentucky Avenue requests rezoning of 15.09 acres, being in D-6 II district, to I-3-S classification to provide for industrial development.

**REZONING ORDINANCE NO. 33, 1979 79-Z-4 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

4910 EAST THOMPSON ROAD, INDIANAPOLIS

Lafayette & Mary M. Gasaway request rezoning of 9.925 acres, being in C-4 district to D-12 classification to permit the erection of 23 double residences.

**REZONING ORDINANCE NO. 34, 1979 79-Z-5 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19**

6125 MOORESVILLE ROAD, INDIANAPOLIS

Joseph F. Milan, Successor Trustee in the Estate of Francis E. Thomason requests rezoning of 8.515 acres, being in D-3 district to C-1 classification to permit commercial office use.

REZONING ORDINANCE NO. 35, 1979 79-Z-6 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
1310 SOUTH FRANKLIN ROAD, INDIANAPOLIS

Riad Shaheen requests rezoning of 4.34 acres, being in A-2 district, to C-ID classification to permit commercial-industrial use and development.

REZONING ORDINANCE NO. 36, 1979 78-Z-8 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
931 FLETCHER AVENUE, INDIANAPOLIS

Board of School Commissioners of the City of Indianapolis requests rezoning of 1.272 acre, being in D-8 district, to Special Use-2 (SU-2) classification for purposes related to the operation of the public school system. Center is for Instructional Radio and T.V. ("CIRT").

REZONING ORDINANCE NO. 37, 1979 79-Z-29 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 11
4001 EAST 21ST STREET, INDIANAPOLIS

The Health & Hospital Corporation, by Thomas C. Hasbrook, President, 1941 City-County Building requests rezoning of 3.7 acres, being in D-5 district, to Special Use-9 (SU-9) classification to permit the construction of a mosquito control facility for Environmental Services activities. Structure to store and maintain fleet of pickup trucks and to include 3,000 square feet of office space and laboratory.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, upon motion duly made and seconded, the meeting adjourned at 10:10 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 26th day of February, 1979.

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

ATTEST:



President



Clerk

(SEAL)