

**CITY—COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, July 16, 1979**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building, at 7:15 p.m., Monday, July 16, 1979, President SerVaas in the Chair. Councillor West opened the meeting with a prayer, followed by the Pledge of Allegiance.

**ROLL CALL**

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

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

**CORRECTION OF JOURNAL**

The Chair called for additions or corrections to the Journal of June 4, 1979. There being no additions or corrections, the minutes were approved as distributed.

**OFFICIAL COMMUNICATIONS**

The Chair called for the 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, July 16, 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**

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 June 13, 1979 and June 20, 1979, a copy of the CITY—COUNTY GENERAL ORDINANCE NO. 47, 1979.

Respectfully,

s/Beverly S. Rippy  
City Clerk

June 25, 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 COMMERCIAL and the Indianapolis NEWS on June 28, 1979, and on July 5, 1979, a copy of CITY—COUNTY GENERAL ORDINANCE NO. 58, 1979.

Respectfully,

s/Beverly S. Rippy  
City Clerk

July 12, 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 July 3, 1979 and July 10, 1979, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 268, 269, 270, 271, and 276, 1979, to be held on Monday, July 16, 1979 at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

July 12, 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 ordinances and resolutions:

FISCAL ORDINANCE NO. 66, 1979, amending the City-County Annual Budget for 1979 and appropriating an additional One Million Two Hundred Seventy-three thousand Seven Hundred Sixty-five dollars 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. 67, 1979, amending the City-County Annual Budget for 1979 and appropriating an additional One hundred fifty thousand six hundred ninety-three dollars in the Flood Control General Fund for purposes of the Department of Public Works, Division of Flood Control, and reducing the unappropriated and unencumbered balance in the Flood Control General Fund.

FISCAL ORDINANCE NO. 68, 1979, amending the City-County Annual Budget for 1979 and appropriating an additional Ninety-two thousand six hundred seventy-four dollars in the Sanitation General Fund for purposes of the Department of Public Works, Division of Liquid Waste, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

FISCAL ORDINANCE NO. 69, 1979, amending the City-County Annual Budget for 1979 and appropriating an additional Nine hundred thirty-one thousand eighty-two dollars in the City General Fund for purposes of the Department of Public Works, Administrative Division, and the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 70, 1979, amending the City-County Annual Budget for 1979 and appropriating an additional Thirty-three thousand six hundred thirty-one dollars in the City Market Fund for purposes of the City Market and reducing the unappropriated and unencumbered balance in the City Market Fund.

GENERAL ORDINANCE NO. 58, 1979, annexing certain territory into the City of Indianapolis upon the disannexation of the same by the City of Beech Grove.

GENERAL ORDINANCE NO. 59, 1979, establishing a 4-way stop at the corner of Orange and Union Streets.

GENERAL ORDINANCE NO. 60, 1979, amending the Code of Indianapolis and Marion County to permit parking on Ohio Street between Meridian and Illinois Streets during designated hours.

GENERAL ORDINANCE NO. 61, 1979, amending City-County General Ordinance No. 85, 1978, increasing the salary of the Center Township Small Claims Court, pursuant to IC 17-4-28.

GENERAL ORDINANCE NO. 62, 1979, amending City-County General Ordinance No. 85, 1978, to increase the salaries authorized for the Washington Township poor relief personnel.

SPECIAL ORDINANCE NO. 5, 1979, authorizing the City of Indianapolis to issue its "Economic Development Furst Mortgage Revenue Bonds, Series 1979," in the principal amount of one million dollars and approving and authorizing other actions in respect thereto.

GENERAL RESOLUTION NO. 3, 1979, approving and authorizing execution of an agreement between the City of Indianapolis and the City of Greenwood for treatment of Greenwood sewage by Indianapolis.

GENERAL RESOLUTION NO. 4, 1979, creating the Hospital Authority of Marion County.

**SPECIAL RESOLUTION NO. 17, 1979, in memoriam: William G. Bray.**

**SPECIAL RESOLUTION NO. 19, 1979, ratifying and authorizing approval of an agreement between the City of Indianapolis and the City of Beech Grove for treatment of Beech Grove sewage by Indianapolis.**

**SPECIAL RESOLUTION NO. 20, 1979, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

**SPECIAL RESOLUTION NO. 21, 1979, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

**SPECIAL RESOLUTION NO. 22, 1979, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

**SPECIAL RESOLUTION NO. 23, 1979, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

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

PROPOSAL NO. 345, 1979. Councillor Tintera introduced the proposal approving the Mayor's Executive Order No. 3, 1979, which creates the Space Allocation Committee. Following discussion, Councillor Tintera moved, seconded by Councillor Howard for adoption of this proposal. The motion carried by unanimous voice vote. Proposal No. 345, 1979, was retitled COUNCIL RESOLUTION NO. 13, 1979, and reads as follows:

**CITY—COUNTY COUNCIL RESOLUTION NO. 13, 1979**

A COUNCIL RESOLUTION supporting the Mayor's energy program and his appeal to the federal government.

WHEREAS, Mayor William H. Hudnut presented an overall city policy for energy conservation on July 13, 1979, and;

WHEREAS, Mayor Hudnut has called upon the federal government to recognize that essential city services must rank among the first priorities for gas and diesel allocation, and;

WHEREAS, the Councillors of the City-County Council concur in and support the energy conservation program and appeal to the federal government, now therefore:

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

SECTION 1. The City-County Council concurs in and supports Mayor Hudnut's energy conservation policy and his appeal to the federal government. The Council stands ready to help Mayor Hudnut accomplish these objectives.

PROPOSAL NO. 281, 1979. Introduced by Councillor Clark, this proposal supports the Mayor's energy program and his appeal to the federal government. After discussion, Mr. Clark moved, seconded by Councillor Dowden, for adoption of this proposal. The motion carried by unanimous voice vote. Proposal No. 281, 1979 was retitled GENERAL RESOLUTION NO. 6, 1979, and reads as follows:

**CITY—COUNTY GENERAL RESOLUTION NO. 5, 1979**

**A GENERAL RESOLUTION approving the Mayor's Executive Order No. 3, 1979, which creates the Space Allocation Committee.**

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

**SECTION 1. The Mayor's Executive Order No. 3, 1979, dated May 10, 1979 creating the Space Allocation Committee, a copy of which is attached hereto, marked Exhibit A in three pages and incorporated herein by reference, is hereby approved.**

**SECTION 2. The Mayor and the Specified Committee are authorized to proceed in accordance with law and the terms of Executive Order No. 3, 1979.**

**SECTION 3. This resolution shall be in full force and effect from and after its passage and compliance with IC 18-4-5-2.**

**INTRODUCTION OF GUESTS**

Councillor Tinder announced that members of his family were in attendance, his wife, daughter Susan, and his niece from Detroit, Rita Fowley. Councillor Patterson introduced Holly Holmes, the 8th District Candidate for City-County Council. President SerVaas introduced Mr. Chuch Huppert and his wife Linda, who is the Judge of the Washington Township Small Claims Court.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 280, 1979. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a Council Resolution approving increased rates and changes for cable television services supplied by Indianapolis Cablevision Co., Ltd.," and the President referred it to the Administration Committee.

PROPOSAL NO. 282, 1979. Introduced by Councillor Miller. 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. 85, 1978) and appropriating an additional One Hundred fifty-nine thousand four hundred forty-two dollars (\$159,442) in the City General Fund for purposes of the Dept. of Administration, Central Equipment and Management Division and reducing the unappropriated and unencumbered balance in the City General Fund," and the President referred it to the Administration Committee.

PROPOSAL NO. 283, 1979. Introduced by Councillor Miller. 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. 85, 1978) and appropriating an additional Three million one hundred thirty-eight thousand one hundred and twenty-eight dollars (\$3,138,128) in the Manpower Federal Programs Fund for purposes of the Department of Administration, the Division of Employment and Training and reducing the unappropriated and unencumbered balance in the Manpower Federal Program Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 284, 1979. Introduced by Councillor Miller. 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 Eight Million one hundred ninety-seven thousand one hundred ninety-three dollars (\$8,197,193) in the Manpower Federal Programs Fund for purposes of the Department of Administration, Division of Training and Employment and reducing the unappropriated and unencumbered balance in the Manpower Federal Programs Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 285, 1979. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a Council Resolution approving the appointment of Michael D. Humphreys to the office of manager of the Division of Internal Audit beginning July 31, 1979;" and the President referred it to the Administration Committee.

PROPOSAL NO. 286, 1979. Introduced by Councillor Boyd. 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. 85, 1978) authorizing changes in the personnel compensation schedule (Section 3.02) of the Marion County Welfare Department;" and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 287, 1979. Introduced by Councillor 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. 85, 1978) and appropriating an additional Twenty-eight Thousand (\$28,000) in the County General Fund for purposes of Voters Registration and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 294, 1979. Introduced by Councillor 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-four thousand nine hundred sixty-three dollars (\$24,963) in the County General Fund for purposes of various township assessors and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 295, 1979. Introduced by Councillor 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-five thousand four hundred ninety-one dollars (\$25,491) in the County General Fund for purposes of the Marion County Law library and reducing certain other appropriations for that agency and the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 296, 1979. Introduced by Councillor 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 Seventy-two thousand one hundred eighty-five dollars (\$72,185) in the County General Fund for purposes of the Board of Review and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 297, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance fixing the salaries to be paid all elected and appointed officers and employees of the various townships in Marion County, Indiana, pursuant to IC 17-4-28;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 298, 1979. Introduced by Councillor 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. 299, 1979. Introduced by Councillor 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. 300, 1979. Introduced by Councillor 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. 301, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving and authorizing certain actions and proceedings with respect to proposed economic development bonds;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 302, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a special Ordinance authorizing the City of Indianapolis to issue its "Economic Development First Lien Revenue Bonds, Series 1979 (Guarantee Auto Stores, Inc. Project)" in the principal amount of Four Hundred and Twenty thousand dollars (\$420,000) and approving and authorizing other actions in respect thereto;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 303, 1979. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County, 1975, Chapter 8, by amending Articles II and V, concerning fees for permits, listings, registration. license, examinations and investigations, and fees for annual sign inspections;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 304, 1979. Introduced by Councillor Parker. The Clerk read the proposal entitled: "A Proposal for A General Resolution giving Council approval and authority to the Capital Improvement Board of Managers to exercise an option for purchase of certain real estate commonly known as the "Mall Block"; amends the Capital Improvement Board of Managers of Marion County, Budget for 1979;" and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 305, 1979. Introduced by Councillor Gilmer. 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 Fifty-nine thousand four hundred eighty-four dollars (\$59,484) 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;" and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 306, 1979. Introduced by Councillor Gilmer. 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 one hundred ten thousand dollars (\$110,000) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that division;" and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 307, 1979. Introduced by Councillor Gilmer. 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 One hundred fourteen thousand four hundred forty-two dollars in the Park General Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that division;" and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 308, 1979. Introduced by Councillors West, Campbell, Hawkins, The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County, specifically Chapter 29 providing for a new section 29-253, Crash Helmets for driver and passenger on motorcycles and motor-driven cycles," and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 309, 1979. Introduced by Councillor Patterson. The Clerk read the proposal entitled: " A Proposal for a General Ordinance adding a new section 6-39: "Keeping of Fowl prohibited." to the Code of Indianapolis and Marion County, Indiana;" and the Chair referred it to the Economic Development Committee. Councillor Walters moved, seconded by Councillor Durnil, to appeal the President's referral to send said proposal to the Rules & Policy Committee. Proposal No. 309, 1979 was referred to the Rules & Policy Committee on the following roll call vote; viz: .

["Aye votes" sustain the Chair.]

10 AYES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Lyons, Mr. McGrath, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. West.

16 NOES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Miss Parker, Mr. Patterson, Mr. Pearce, Mrs. Stewart, Mr. Tintera, Mr. Vollmer, Mr. Walters.

PROPOSAL NO. 310, 1979. Introduced by Councillor 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 and additional Fifty thousand dollars (\$50,000) in the Metropolitan Development Fund for purposes of Urban Renewal and reducing the unappropriated and unencumbered balance in the Redevelopment General Fund;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 311, 1979. Introduced by Councillor West. 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 and additional five thousand one hundred dollars (\$5,100) in the County General Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 312, 1979. Introduced by Councillor West. 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 Nine Hundred eighty-nine dollars (\$4,989) in the County General Fund for purposes of the Marion County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 313, 1979. Introduced by Councillor West. 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 Fifteen Thousand three hundred eighty-nine dollars (\$15,389) in the Crime Control Fund for purposes of Municipal Court and reducing the unappropriated and unencumbered balance in the Crime Control Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 314, 1979. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance replacing the Code of Indianapolis, Sections 4-129, 4-130, and 4-131, Air Pollution Control, Division 5 fees with mandated language by the Clean Air Act as amended by August, 1977;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 315, 1979. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Section 17½-3 and Section 17½-5 of the Code of Indianapolis and Marion County by the addition of provisions concerning the enforcement and regulation of litter violations;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 316, 1979. Introduced by Councillor Coughenour. The Clerk read the Proposal entitled: "A Proposal for a Council Resolution approving the appointment of a person by the Mayor to fill the office of Acting Director of the Department of Public Works for the period beginning July 6, 1979, and continuing until a permanent director is appointed and qualified;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 317, 1979. Introduced by President SerVaas. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing angle parking on Maryland Street ( Alabama Street to Delaware Street ) for "Police Only." [Amends Code Section 29-254b.];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 318, 1979. Introduced by Councillor Hawkins. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Chapter 29 of the Code of Indianapolis and Marion County, Indiana, to remove parking meters from 1400 block of North Senate Avenue;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 319, 1979. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County by adding Chapter 18.5 and adopting the standards, regulations, and guidelines in the Right-of-Way Activity Manual established by the Department of Transportation to provide penalties with respect to violations of this chapter;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 320, 1979. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County by amending Chapter 31 to establish certain revision proceedings with respect to the utility's easement rights code;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 321, 1979. Introduced by Councillor 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) and appropriating an additional five million four hundred ninety-one thousand dollars (\$5,491,000) in the Arterial Road and Street Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Arterial Road and Street Fund;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 322, 1979. Introduced by Councillor 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) and appropriating an additional three million three hundred fifty thousand four hundred dollars (\$3,350,400) in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation Fund;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 344, 1979. Introduced by Councillor Schnieder. Councillor Schneider moved, seconded by Councillor Brinkman the following:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

**I move to suspend the rules of the Council on preparation, initiation, and introduction of proposals be suspended and the attached material be introduced as Proposal No. 344, 1979, without being in proper form.**

**Councillor Schneider**

The motion carried by unanimous voice vote. 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 Twelve Thousand Six Hundred Thirteen dollars (\$12,613) in the County General Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

Councillor Cantwell requested that certain material concerning apartment owner's rights in respect to conversion to condominiums be sent to a committee for consideration and possible introduction as a proposal, due to its timeliness. The Chair granted consent and the material was referred to the Metropolitan Development Committee.

#### SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 177, 1979. Mr. Dowden stated that this proposal appropriates \$400,000 in the County Welfare Fund for indigent medical care costs, and reported that this proposal had been tabled in committee. Councillor Dowden then moved, seconded by Councillor Coughenour that Proposal No. 177, 1979, be postponed indefinitely. The motion carried by unanimous voice vote.

PROPOSAL NO. 230, 1979. Councillor Durnil reported that this proposal appropriates \$1,417,488 in the Redevelopment General Fund for purposes of providing more adequate housing in Indianapolis; financed by a Section 108 loan, a housing counseling grant, and CETA. He also stated that this money would help purchase houses, rehabilitate, and then sell them. The Council recessed to a Committee of the Whole at 8:07. During public hearing, Mr. Kennedy and Mr. Carley explained that the city has two housing rehabilitation programs and have sold these houses at an average cost of \$20,000. The Council reconvened at 8:09, at which time Councillor Durnil offered an amendment to the proposal. The amendment was later withdrawn from the floor by Councillor Durnil. After discussion, Councillor Brinkman moved, seconded by Councillor Boyd for adoption of Proposal No. 230, 1979. The motion carried on the following roll call vote; viz:

*19 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, and Mr. West.*

*6 NOES: Mrs. Coughenour, Mr. Dowden, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Schneider.*

*4 NOT VOTING: Mr. Campbell, Mr. Cantwell, Mr. Kimbell, and Mr. Page.*

Proposal No. 230, 1979, was retitled FISCAL ORDINANCE NO.76, 1979, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 76, 1979**

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional one million four hundred seventeen thousand four hundred eighty-eight dollars (\$1,417,488) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Division of Urban Renewal, and reducing the unappropriated and unencumbered balance in the Redevelopment 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 further attaining the goals and objectives of the Community Development Program by providing more sound and adequate livable housing for Indianapolis/Marion County residents to be financed by Section 108 Loan, a Housing Counseling Grant, and CETA.

**SECTION 2.** The sum of one million four hundred seventeen thousand four hundred eighty-eight dollars (\$1,417,488) 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:

DEPT. OF METROPOLITAN DEVELOPMENT		REDEVELOPMENT
DIVISION OF		GENERAL FUND
URBAN RENEWAL		
10.	Personal Services	\$ 154,126
21.	Contractual Services	68,661
22.	Supplies	1,500
24.	Current Charges	25,980
25.	Current Obligations	11,473
50.	Properties	<u>1,155,748</u>
<b>TOTAL INCREASES</b>		<b>\$1,417,488</b>

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

	REDEVELOPMENT GENERAL FUND
Unappropriated and unencumbered	
Redevelopment General Fund	<u>\$1,417,488</u>
<b>TOTAL REDUCTIONS</b>	<b>\$1,417,488</b>

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

PROPOSAL NO. 231, 1979. Councillor Durnil stated that this proposal appropriates \$1,387,000 in the Community Development Fund for the Housing Revolving Fund project financed by CDBG and revenue generated from the Revolving Fund. He stated that this proposal was a companion to Proposal No. 320, 1979 and the Metropolitan Development Committee had recommended that the Council do pass this proposal. Councillor Durnil moved, seconded by Councillor Gilmer to adopt proposal No. 231, 1979. The proposal was then adopted on the following roll call vote; viz:

18 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tintera, Mr. Vollmer, Mr. Walters, and Mr. West.

5 NOES: Mrs. Coughenour, Mr. Dowden, Mr. McGrath, Mr. Miller, Mr. Schneider,

6 NOT VOTING: Mr. Campbell, Mr. Cantwell, Mr. Kimbell, Mr. Lyons, Mr. Page Mr. Tinder

Proposal No. 231, 1979, was retitled FISCAL ORDINANCE NO. 77, 1979, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 77, 1979**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional one million three hundred eighty-seven thousand dollars (\$1,387,000) in the Community Development Fund for purposes of the Department of Metropolitan Development, Division of Community Development, and reducing the unappropriated and unencumbered balance in the Community Development 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 the Housing Revolving Fund Project financed by a Section 108 Loan from HUD (C.D.B.B.) and revenue generated from Revolving Fund specifically for this project.

SECTION 2. The sum of one million three hundred eighty-seven thousand dollars (\$1,387,000) 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:

DEPT. OF METROPOLITAN DEVELOPMENT	
DIVISION OF	COMMUNITY
COMMUNITY DEVELOPMENT	DEVELOPMENT FUND
21. Contractual Services	<u>\$1,387,000</u>
TOTAL INCREASES	<u>\$1,387,000</u>

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

COMMUNITY DEVELOPMENT FUND	
Unappropriated and unencumbered	
Community Development Fund	<u>\$1,387,000</u>
TOTAL REDUCTIONS	<u>\$1,387,000</u>

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

PROPOSAL NO. 240, 1979. Councillor Schneider reported for the County & Townships Committee that this proposal appropriates \$10,367 in the County General Fund for the purposes of transferring two staff members from the City Purchasing Department to the Auditor's Office. to expedite the paper work. He stated that the committee had recommended that the council do pass this proposal.

The Council recessed to a Committee of the Whole at 8:20 and reconvened at 8:21. Councillor Campbell then moved, seconded by Councillor Anderson, to adopt Proposal No. 240, 1979. The proposal was then adopted on the following roll call vote; viz:

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

NO NOES

4 NOT VOTING: Mr. Cantwell, Mr. Kimbell, Mr. Page, and Mr. Pearce

Proposal No. 240, 1979 was retitled FISCAL ORDINANCE NO. 78, 1979, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 78, 1979**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional ten thousand three hundred sixty-seven dollars (\$10,367) in the County General Fund for purposes of the Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of transferring two persons to the staff of the Auditor from the City Purchasing Department and arranging reimbursement for their services by Consolidated County Fund.

SECTION 2. The sum of ten thousand three hundred sixty-seven dollars (\$10,367) 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:

AUDITOR		COUNTY GENERAL FUND
10.	Personal Services	\$ 9,614
24.	Current Charges	385
25.	Current Obligations	368
	TOTAL INCREASES	<u>\$10,367</u>

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

Unappropriated and unencumbered	
County General Fund	<u>\$10,367</u>
TOTAL REDUCTIONS	\$10,367

SECTION 5. Section 2.03, subsection (a)(2) is amended by deleting the crosshatched items and inserting the underlined items, as follows:

(2) COUNTY AUDITOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Auditors	2	23,287	43,642
Dept. Supervisor	10	13,558	94,091
Dept. Asst.			
Supervisors	1/4/ 5	8,487	32,393
Admin. Secretary	3	11,192	30,318
Key punch Operators	2	7,002	13,800
General Office			
Clerical	1/1/ 12	7,570	69,000
CETA	3	7,320	21,642
Temporary	1/1/ 37		30,000

The official responsible for hiring and fixing salaries for this office shall limit the number of personnel or the salaries or both so that the total salaries paid shall not exceed the amount of the total personal services appropriation of ~~71,570~~ ~~71,800~~ \$382,522.

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

PROPOSAL NO. 268, 1979. Councillor Durnil reported that this proposal appropriates \$70,000 from a Community Development Block grant for a neighborhood stabilization, and the committee had recommended that this proposal be adopted. Mr. Durnil moved, seconded by Councillor Tintera, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 268, 1979, by deleting the introduced version, and substituting therefore the proposal entitled: "Proposal No. 268, 1979, Council Staff Corrected Version."

Councillor Durnil

The motion carried by unanimous voice vote. The Council recessed to a Committee of the Whole for public hearing at 8:22 p.m. and reconvened at 8:39 p.m. During public hearing, Ms. Shaw and Mr. Christinsen, spoke concerning the aspects of this proposal. Mr. Tintera moved, seconded by Councillor Clark, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 268, 1979, as follows:  
 "Staff funded under this program will work with neighborhood associations, community organizations, real estate industry, financial institutions, developers, and governmental agencies. The program will direct itself to responding to requests for information from the above groups and answer inquires by any citizen."

Councillor Tintera

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

9 AYES: Mr. Clark, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Patterson, Mr. SerVaas, Mr. Tintera, Mr. Vollmer

17 NAYS: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Lyons, Mr. Miller, Mr. Pearce, Miss Parker, Mr. Schneider, Mrs. Stewart, Mr. Tinder, Mr. Walters, and Mr. West.

3 NOT VOTING: Mr. Kimbell, Mr. Cantwell, Mr. Page.

Mr. Howard then moved, seconded by Councillor Journey, for adoption of Proposal No. 268, 1979, as amended, the proposal failed on the following roll call vote; viz:

13 AYES: Mr. Boyd, Mr. Brinkman, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Miss Parker, Mr. Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West.

13 NOES: Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart.

[Mr. Kimbell, Mr. Cantwell, and Mr. Page were absent and not voting.]

PROPOSAL NO. 269, 1979. Councillor Miller stated tha this proposal appropriates \$12,721 from the City General Fund to facilitate the transfer of claims processors from Central Purchasing to the Controller's Office. Mr. Miller then moved, seconded by Councillor Boyd, the following:

#### CITY—COUNTY COUNCIL MOTION

**Mr. President:**

I move to amend proposal No. 269, 1979, by deleting the introduced version and substituting therefor, the Proposal entitled: "Proposal No. 269, 1979, Council Staff Corrected Version."

Councillor Miller

The motion carried by unanimous voice vote. The Council recessed to a Committee of the Whole for a public hearing at 8:45 and reconvened at 8:46 p.m. The Proposal was then adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West.

NO NOES

6 NOT VOTING: Mr. Campbell, Mr. Kimbell, Mr. McGrath, Mr. Page, Miss Parker, Mr. Walters.

Proposal No. 269, 1979, As Amended was retitled FISCAL ORDINANCE NO. 79, 1979, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 79, 1979**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional Twelve Thousand Seven Hundred Twenty-one dollars (\$12,721) in the City General Fund for purposes of the Department of Administration, Division of Finance and reducing the unappropriated and unencumbered balance in the City General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 effecting the transfer of some claims processors from Central Purchasing to the City Controller's Office to smooth the paper flow for payment of city accounts payable and eventually decrease the turn-around time for payments financed by contract purchasing and CETA.

SECTION 2. The sum of Twelve Thousand Seven Hundred Twenty-one dollars (\$12,721) 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 FINANCE	CITY GENERAL FUND
10. Personal Services	\$11,650
24. Current Charges	523
25. Current Obligations	<u>548</u>
TOTAL INCREASES	<u>\$12,721</u>

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

CITY GENERAL FUND	
Unappropriated and Unencumbered City General Fund	<u>\$12,721</u>
TOTAL REDUCTIONS	<u>\$12,721</u>

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

PROPOSAL NO. 272, 1979. Councillor Tintera requested that Proposal Nos. 272, 273, and 274, 1979, be heard at this time, out of normal order. Consent by the Council was given. Councillor Tintera stated that Proposal No. 372, 1979, approves authorization of economic development bonds in the amount of \$1,250,000 for Lane Bryant, Inc. Mr. Tintera then moved, seconded by Councillor West, the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 272, 1979, by deleting the introduced version and substituting therefor, the proposal entitled: "Proposal No. 272, 1979, Council Staff Corrected Version, Committee Recommendations."

**Councillor Tintera**

The motion carried by unanimous voice vote. The proposal was then adopted on the following roll call vote; viz:

24 AYES: *Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West.*

NO NOES

5 NOT VOTING: *Mr. Cantwell, Mr. Kimbell, Mr. McGrath, Mr. Page, Miss Parker.*

Proposal No. 272, 1979, As Amended, was retitled SPECIAL ORDINANCE NO. 6, 1979, and reads as follows:

**CITY—COUNTY SPECIAL ORDINANCE NO. 6, 1979**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1979 B (Lane Bryant, Inc. Project)" in the principal amount of one million two hundred and fifty thousand dollars (\$1,250,000) and approving other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered its Project Report for the Lane Bryant, Inc. Project regarding the financing of proposed economic development facilities for Lane Bryant, Inc. and the Metropolitan Development Commission has commented favorably thereon; and

WHEREAS, the Indianapolis Economic Development Commission conducted a public hearing on June 25 1979, and also adopted a resolution on June 25, 1979, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Lane Bryant, Inc, complies with the purposes and provisions of IC 18-6-4.5 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has heretofore approved and recommended the adoption of this form of ordinance by this City-County Council and has approved the forms and has transmitted for approval by the City-County Council the Amendment No. 1 to Loan Agreement, First supplemental Indenture of Trust, Bond Purchase Contract, and Official Statement for the 1979 Series B financing (such documents being hereinafter referred to collectively as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Amendment No. 1 to Loan Agreement approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the lending of the net proceeds of the revenue bonds to Lane Bryant, Inc. for the construction of such facilities and equipping thereof, complies with the purposes and provisions of IC 18-6-4.5 and will be of benefit to the health and welfare of the City of Indianapolis and its citizens.

SECTION 2. The final forms of the Amendment No. 1 to Loan Agreement and First Supplemental Indenture of Trust approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in IC 18-6-4.5), shall be incorporated herein by reference and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1979 B (Lane Bryant, Inc. Project), in the total principal amount of one million two hundred and fifty thousand dollars (\$1,250,000) for the purposes of procuring funds to pay the costs of construction and equipping of the economic development facilities as more particularly set out in the First Supplemental Indenture of Trust and Amendment No. 1 to Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest solely from loan repayments under the 1979 Series B Promissory Note and Amendment No. 1 to Loan Agreement and from other revenues and income as provided in the above described First Supplemental Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Indianapolis.

SECTION 4. The form of Bond Purchase Contract between the City of Indianapolis and Stephens Inc, and the form of Official Statement for the 1979 Series B financing to be used in marketing the Bonds is approved and the distribution of the Official Statement for the 1979 Series B financing by Stephens, Inc. to prospective purchasers is also approved and ratified. The Mayor and Clerk are authorized and directed to execute such Bond Purchase Contract on behalf of the City of Indianapolis.

SECTION 5. The Mayor and Clerk are authorized and directed to execute, on behalf of the City, the documents constituting the Financing Agreement approved herein, the Bonds, the Official Statement for the 1979 Series B financing and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and Clerk on the bonds may be facsimile signatures. The Clerk and/or Controller are authorized to arrange for delivery of such Bonds to the Trustee named in the First Supplemental Indenture of Trust, payment for which will be made to the Trustee named in the First Supplemental Indenture of Trust and delivered by the Trustee to the purchasers thereof.

SECTION 6. The provisions of this ordinance and the First Supplemental Indenture of Trust securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holders of the Economic Development Revenue Bonds, Series 1979 B (Lane Bryant, Inc. Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect from and after its passage and compliance with procedure required by Indiana Code 18-4-5-2.

PROPOSAL NO. 273, 1979. Councillor Tintera stated that this proposal was an inducement resolution for economic development bonds in the amount of \$2,500,000 for Kraft, Inc. Councillor Tintera then moved, seconded by Councillor Gilmer, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 273, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 273, 1979, Council Staff Corrected Version, Committee Recommendations."

Councillor Tintera

The motion carried by an unanimous voice vote. Councillor Tintera then moved for adoption of Proposal No. 273, 1979, As Amended. The motion carried by the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters

NO NOES

7 NOT VOTING: Mr. Cantwell, Mrs. Coughenour, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Page, and Mr. West.

Proposal No. 273, 1979, As Amended, was retitled SPECIAL RESOLUTION NO. 24, 1979, and reads as follows:

CITY—COUNCIL SPECIAL RESOLUTION NO. 24, 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 or sold to a company; and

WHEREAS, Kraft, Inc. and/or Parrent Investors No. 5 Ltd., a limited partnership formed under the laws of the State of Michigan, and/or affiliate of either, (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City acquire, construct and equip certain economic development facilities 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 an approximate 50,000 square foot warehouse and distribution facility for packaged food products, and the machinery and equipment to be installed therein, to be located at 82nd Street and Woodland Avenue, Park 100, Indianapolis, Indiana, on an approximate 6 acre tract of land (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (5 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 City and its citizens; and

WHEREAS, 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 acquisition and construction of the facilities 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 MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development 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, ratifies, and confirms that the issuance and sale of revenue bonds of the City in an approximate amount of \$2,500,000 under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Company or the loaning of the proceeds of such a financing of 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, ratifies, and confirms 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 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.

SECTION 4. All costs of the Project incurred after the passage of this resolution, 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.

PROPOSAL NO. 274, 1979. Councillor Tintera stated that this proposal was an inducement resolution for economic development bonds in the amount of \$800,000 for Alan C. Stanford. Councillor Tintera then moved, seconded by Councillor Campbell, the following:

**CITY-COUNTY COUNCIL MOTION**

Mr. President:

I move to amend Proposal No. 274, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 274, 1979, Council Staff Corrected Version."

Councillor Tintera

The motion carried by unanimous voice vote. Proposal No. 274, 1979, As Amended, was then adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters.

NO NOES

7 NOT VOTING: Mr. Cantwell, Mr. Kimbell, Mr. McGrath, Mr. Page, Miss Parker, Mrs. Coughenour, and Mr. West.

Proposal No. 274, 1979, As Amended, was retitled SPECIAL RESOLUTION NO. 25, 1979 and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 25, 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 or sold to a company; and

WHEREAS, Alan C. Stanford ("Stanford") has advised the Indianapolis Economic Development Commission and the City that he proposes that the City acquire, construct and equip certain economic development facilities and sell or lease the same to Stanford or that the City loan the proceeds for such a financing to Stanford for such purposes, said economic development facility to be an approximate 16,000 square foot office building to be used as the corporate headquarters of Data Sciences, Inc., and the machinery and equipment to be installed therein, to be located at 125 West Market Street, Indianapolis, Indiana, (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (80 new jobs added) 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 City and its citizens; and

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

WHEREAS, the acquisition and construction of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana: and now, therefore:

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

**SECTION 1.** The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and jobs 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, ratifies, and confirms that the issuance and sale of revenue bonds of the City in an approximate amount of \$800,000 under the Act for the acquisition, and equipping of the Project and the sale or leasing of the Project to Stanford for such purposes will serve the public purposes referred to above, in accordance with the Act.

**SECTION 3.** In order to induce Stanford to proceed with the acquisition, construction and equipping of the Project, the City-County Council hereby finds, determines, ratifies, and confirms 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 mutually acceptable to the City and Stanford; (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.

**SECTION 4.** All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to Stanford of moneys expended by Stanford 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 Stanford or loan the proceeds of such financing to Stanford for the same purposes.

PROPOSAL NO. 270, 1979. Councillor Durnil stated that this proposal appropriates monies from the Redevelopment General Fund for recommended allocation to various programs. Councillor Durnil moved, seconded by Councillor Parker, the following:

**CITY—COUNTY COUNCIL MOTION**

Mr. President:

I move to amend Proposal No. 270, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 270, 1979, Council Staff Corrected Version, As Amended."

**Councillor Durnil**

The motion carried by unanimous voice vote. The Council recessed to a Committee of the Whole at 9:07 p.m. for public hearing and reconvened at 9:08 p.m. Councillor Brinkman moved for adoption, seconded by Councillor Campbell. The proposal was then adopted on the following roll call vote; viz:

18 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, and Mr. West.

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

4 NOT VOTING: Mrs. Coughenour, Mr. Kimbell, Mr. Page, and Mr. SerVaas

Proposal No. 270, 1979, As Amended, was retitled FISCAL ORDINANCE NO. 81, 1979, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 81, 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 Thirty-two Thousand Dollars (\$332,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development Division of Urban Renewal and reducing the unappropriated and unencumbered balance in the Redevelopment 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 grants allocated to the following programs financed by Community Development Funds:

1.	New Life Manor	\$164,000
2.	Noble Tomorrow	\$85,000
3.	Home Ownership Promotion	\$24,000
4.	Midtown Neighborhood Center	\$42,000
5.	Deadbolt Lock Project	\$17,000

SECTION 2. The sum of Three Hundred Thirty-two Thousand dollars (\$332,000) 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 METROPOLITAN DEVELOPMENT, DIVISION OF URBAN RENEWAL	REDEVELOPMENT GENERAL FUND
21. Contractual Services	\$218,000
50. Properties	<u>164,000</u>
TOTAL INCREASES	\$332,000

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

Unappropriated and Unencumbered Redevelopment General Fund	\$332,000
TOTAL REDUCTIONS	<u>\$332,000</u>

SECTION 5. The following provisions of this ordinance apply only to appropriations and procedures of New Life Manor:

WHEREAS, the Division of Economic and Housing Development, through the Metropolitan Development Commission, intends to sell land acquired with these funds to a redeveloper for the purpose of constructing housing for the elderly and the handicapped, and;

WHEREAS, the potential redeveloper may be a not-for-profit corporation but the development will require normal governmental services and utilities;

WHEREAS, therefore, the Division of Economic Development is hereby directed to include a legal requirement in the appropriate public offerings and documents, to require the redeveloper to pay the normal amount of property taxes and not to seek exemption from assessment, or shall make a payment in lieu of taxes in an amount equal to normal taxes due.

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

Councillor Campbell moved, seconded by Councillor Boyd, to reconsider Proposal No. 268, 1979. The motion carried by the following roll call vote; viz:

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

12 NOES: Mr. Anderson, Mr. Clark, Mr. Dowden, Mr. Gilmer, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder.

3 NOT VOTING: Mrs. Coughenour, Mr. Kimbell, and Mr. Page.

PROPOSAL NO. 268, 1979. After further discussion, a seconded vote was taken on Proposal No. 268, 1979. The proposal failed for lack of statutory majority by the following roll call vote; viz:

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

12 NOES: Mr. Anderson, Mr. Clark, Mr. Dowden, Mr. Gilmer, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder.

3 NOT VOTING: Mrs. Coughenour, Mr. Kimbell, and Mr. Page.

PROPOSAL NO. 271, 1979. Councillor Parker stated that this proposal appropriates \$797,000 from the Community Development Fund for recommended allocation to certain community services programs. Councillor Parker moved, seconded by Councillor McGrath, the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 271, 1979, by deleting the line 6 in Section 1 as follows:

2. People's Health Center (Eastside Promise, Inc.) \$200,000  
This shall be assigned to the Municipal Corporations Committee.

Councillor Parker

The motion carried by unanimous voice vote. Councillor Durnil then moved the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 271, 1979, by deleting the introduced version and substituting therefor, the Proposal entitled: "Proposal No. 271, 1979, Council Staff Corrected Version."

Councillor Durnil

This motion was adopted by consent. The Council then recessed to a Committee of the Whole for a public hearing at 9:18 p.m. and reconvened at 9:20 p.m. Mr. Durnil then moved for adoption, and the proposal was then passed on the following roll call vote; viz:

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

4 NOT VOTING: Mr. Cantwell, Mr. Kimbell, Mr. Miller, Mr. Page

Proposal No. 271, 1979, As Amended, was retitled FISCAL ORDINANCE NO. 82, 1979, and reads as follows:



SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 275, 1979. Councillor West reported that this proposal amends Section 12-225 of the Code expanding the NFPA definition of smoke detectors to include battery operated smoke detectors. Councillor West explained that the committee had recommended that this proposal be passed to update the language now contained in the Code. After discussion, Councillor West moved the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 275, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 275, 1979, Council Staff Corrected Version."

Councillor West

This motion was passed by consent of the Council. Councillor West then moved, seconded by Councillor Tintera, to adopt Proposal No. 275, 1979, As Amended, the proposal was then adopted on the following roll call vote; viz:

23 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. McGrath, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters, Mr. West.

1 NO: Mr. Lyons

5 NOT VOTING: Mr. Boyd, Mr. Kimbell, Mr. Page, Mr. Pearce and Mr. Tintera

Proposal No. 275, 1979, As Amended, was retitled GENERAL ORDINANCE NO. 63, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 63, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by adding a new Section 12-225 which expands the NFPA definition of smoke detectors to include approved battery operated smoke detectors.

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

SECTION 1. Division 8 of Article 3 of Chapter 12 of the Code of Indianapolis and Marion County is hereby amended by adding a new Section 12-225 to read as follows:

**Section 12-255. Smoke Detectors.**

Smoke detectors, defined for purposes of this Chapter to mean an approved single station smoke detector, powered by a house electrical service and/or batteries, shall be installed in an approved manner in all occupancies where required by the Life Safety Code-NFPA No. 101, or other laws or ordinances.

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

PROPOSAL NO. 259, 1979. Councillor West reported that this proposal transfers \$15,000 in the County General Fund for purposes of the Sheriff, and added that the Public Safety & Criminal Justice had sent the proposal to the full Council with a "Do Pass As Amended" recommendation. Councillor West then moved the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 259, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 259, 1979, Committee Recommendations."

**Councillor West**

The motion was passed by consent of the council. Councillor West then moved for adoption of this proposal, seconded by Councillor Dowden. The proposal was then adopted on the following roll call vote; viz:

**24 AYES:** Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, Mr. McGrath, Mr. Miller, 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**

**5 NOT VOTING:** Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Kimbell, and Mr. Page

Proposal No. 259, 1979, As Amended, was retitled FISCAL ORDINANCE NO. 83, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 83, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Fifteen Thousand dollars (\$15,000) in the County General Fund for purposes of the Sheriff and reducing certain other appropriations for the Sheriff.

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 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of facilitating the continued operation of the Marion County jail at its current level without additional monies.

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 appropriations as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

SHERIFF	COUNTY GENERAL FUND
22. Supplies	\$5,000
23. Materials	<u>10,000</u>
TOTAL INCREASES	\$15,000

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

SHERIFF	COUNTY GENERAL FUND
21. Contractual Services	<u>\$15,000</u>
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. 221, 1979. Councillor Pearce moved, seconded by Councillor Cantwell to remove Proposal No. 221, 1979 from the table. The motion carried by the following roll call vote; viz:

16 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Tintera, Mr. Vollmer, Mr. Walters, and Mr. West.

10 NOES: Mr. Anderson, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. McGrath, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, and Mr. Tinder.

3 NOT VOTING: Mr. Kimbell, Mr. Page, and Mr. Lyons

Councillor Miller moved, seconded by Councillor Patterson to amend Proposal No. 221, 1979 by the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move the following amendments to Proposal No. 221, 1979. These amendments have been submitted by Corporation Counsel.

1. Page 1, between lines 14 and 15, insert:  
"Complainant shall mean any person who signs a complaint on his own behalf alleging that he has been aggrieved by a discriminatory practice."
2. Page 1, Line 22, between the words "commission" and "in" insert:  
"or otherwise cooperated with the commission"  
Line 23, between the words "practice" and "was" insert:  
"whether or not such discriminatory practice"
3. Page 3, Sec. 16-2, line 2, between the words "education" and "accommodations" insert:  
"employment, access to public conveniences"  
Line 4, between "religion" and "methods" insert:  
"color, natural origin or ancestry through reasonable"  
Line 5: delete "out" insert "sought".
4. Page 3, strike the first Section 16-3. It is duplicative of Sec. 16-2.
5. Page 4, Sec. 16-5, line 4, delete the word "file" and insert "filed".
6. Page 8, line 1 should read:  
"Secs. 16-29 through 16-43 reserved."

Chairman Donald Miller

The motion carried by unanimous voice vote. Councillor Miller then moved for adoption. The proposal was then adopted on the following roll call vote; viz:

20 AYES: Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Walters, Mr. West.

7 NOES: Mr. Anderson, Mr. Boyd, Mrs. Coughenour, Mr. Dowden, Mr. McGrath, Mr. Schneider, and Mr. Vollmer.

2 NOT VOTING: Mr. Kimbell, and Mr. Page

Proposal No. 221, 1979, As Amended, was retitled GENERAL ORDINANCE NO. 64, 1979 and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 64, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Chapter 16 to provide for the continued improvement of Human Relations in the Consolidated City of Indianapolis—Marion County and the monitoring of those relations by the Human Rights Commission.

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

SECTION 1. Chapter 16 of the Code of Indianapolis and Marion County is hereby amended by repealing the existing Chapter 16 and adding a new Chapter 16 to read as follows:

Chapter 16  
HUMAN RELATIONS  
ARTICLE I. IN GENERAL

Sec. 16-1. Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section:

"Acquisition of real estate" shall mean the sale, rental, lease, sublease, construction or financing, including negotiations and any other activities or procedures incident thereto, of:

- (1) Any building, structure, apartment, single room or suite of rooms or other portion of a building, occupied as or designed or intended for occupancy as living quarter by one (1) or more families or single individuals;
  - (2) Any building, structure or portion thereof, or any improved or unimproved land utilized or designed or intended for utilization, for business, commercial, industrial or agricultural purposes;
  - (3) Any vacant or unimproved land offered for sale or lease for any purpose whatsoever.
- "Appointing authorities" shall mean and include the mayor, the city-county council and such other person or agency as may be entitled to appoint any member of the commission on human rights created in this chapter.

"Appraiser" shall mean any person who, for a fee or in relation to his employment or usual occupation, establishes a value for any kind of real estate, the acquisition of which is defined in this section.

"Complainant shall mean any person who signs a complaint on his own behalf alleging that he has been aggrieved by a discriminatory practice."

"Commission" shall mean the commission on human rights created in this chapter.

"Complaint" shall mean a written grievance filed with the executive director of the commission, either by a complainant or by the commission, which meets all the requirements of section 16-4.

"Discriminatory practice" shall mean and include the following:

- (1) The exclusion from or failure or refusal to extend to any person equal opportunities or any difference in the treatment of any person by reason of race, sex, religion, color, national origin or ancestry;
- (2) The exclusion from or failure or refusal to extend to any person equal opportunities or any difference in the treatment of any person, because the person filed a complaint alleging a violation of this chapter, testified in a hearing before the commission or otherwise cooperated with the commission in the performance of its duties and functions under this chapter, or requested assistance from the commission in connection with any alleged discriminatory practice whether or not such discriminatory practice was in violation of this chapter;
- (3) In the case of a real estate broker or real estate salesman or agent, acting in such a capacity in the ordinary course of his business or occupation, who does any of the following:
  - (a) Any attempt to prevent, dissuade or discourage any prospective purchaser, lessee or tenant of real estate from viewing, buying, leasing or renting the real estate because of the racial, sexual, religious or ethnic composition of:
    1. Students, pupils or faculty of any school or school district;
    2. Owners or occupants, or prospective owners or occupants, of real estate in any neighborhood or on any street or block; provided, however, this clause shall not be construed to prohibit disclosure in response to inquiry by any prospective purchaser, lessee or tenant of:
      - (i) Information reasonably believed to be accurate regarding such racial, sexual, religious or ethnic composition; or
      - (ii) The honest professional opinion or belief of the broker, salesman or agent regarding factors which may affect the value or desirability of property available for purchase or lease;

- (b) Any solicitation, promotion or attempt to influence or induce any owner to sell, lease or list for sale or lease any real estate, which solicitation, promotion or attempted inducement includes representations concerning:
1. Race, sex, color, religion or national origin of present, prospective or possible purchasers or occupants of real estate in any area, neighborhood or particular street or block;
  2. Present, prospective or possible neighborhood unrest, tension or change in the racial, sexual, religious or ethnic composition of occupants or prospective occupants of real estate in any neighborhood or any street or block;
  3. Present, prospective or possible decline in market value of any real estate by reason of the present, prospective or possible entry into any neighborhood, street or block of persons of a particular race, sex, color, religion or national origin;
  4. Present, prospective or possible decline in the quality of education offered in any school or school district by reason of any change in the racial, sexual, religious or ethnic composition of the students, pupils or faculty of such school or district.

"Education" shall mean the construction, maintenance or operation of any school or educational facility utilized or intended to be utilized for the education or training of persons residing within the territorial jurisdiction of the commission and controlled by a public governmental board or agency which operates one or more elementary or secondary schools.

"Employer" shall mean:

- (1) Any political subdivision within the county, not represented by the Corporation Counsel, pursuant to I.C. 18-4-7-5, and any separate municipal corporation which has territorial jurisdiction primarily within the county; and
- (2) Any person who employs at the time of any alleged violation six (6) or more employees within the territorial jurisdiction of the commission.

"Employment" shall mean a service performed by an individual for compensation on behalf of an employer, except that such services shall not include the following:

- (1) Services performed by an individual who in fact is engaged in an independently established trade, occupation, business or profession, and who has been and will continue to be free from direction or control over the manner of performance of such services;
- (2) Services performed by an agent who received compensation solely upon a commission basis and who controls his own time and efforts; or
- (3) Services performed by an individual in the employ of his spouse, child or parent.

"Employment agency" shall mean and include any person undertaking, with or without compensation, to procure, recruit, refer or place any individual for employment.

"Labor organization" shall mean and include any organization which exists for the purpose, in whole or in part, of collective bargaining or dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment.

"Lending institution" shall mean any bank, building and loan association, insurance company or other corporation, association, firm or enterprise, the business of which consists in whole or in part in making or guaranteeing loans secured by real estate or any interest therein.

"Owner" shall mean and include the titleholder of record, contract purchaser, lessee, sublessee, managing agent or other person having rights of ownership or possession, or the right to sell, rent or lease real estate.

"Person" shall mean and include one or more individuals, partnerships, associations, organizations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, governmental agencies and other organized groups of persons.

"Public accommodation" shall mean any establishment which caters to or offers its services, facilities or goods to the general public.

"Public facility" shall mean any facility or establishment, other than an educational institution, which is owned, operated or managed by or on behalf of a governmental agency.

"Real estate broker" shall mean any person who, for a fee or other valuable consideration, sells, purchases, rents, leases or exchanges, or negotiates or offers or attempts to negotiate the sale, purchase, rental, lease or exchange of real property owned by another person; or a person who is licensed and holds himself out to be engaged in the business of selling, purchasing, renting, leasing or exchanging real property for other persons, or who manages and collects rents for the real property of another.

"Real estate salesman or agent" shall mean any person employed by a real estate broker to perform or assist in performing any or all of the functions of the real estate broker.

"Respondent" shall mean one or more persons against whom a complaint is filed under this chapter, and who the complaint alleges has committed or is committed or is committing a discriminatory practice.

**Sec. 16-2. Purpose of this chapter.**

The purpose of this chapter shall be as follows:

- (1) To promote equality of opportunity for education, employment, access to public conveniences, accommodations, and acquisition through purchase or rental of real property, including but not limited to housing, without regard to race, sex, religion, color, natural origin or ancestry through reasonable methods that do not create that which is to be eliminated;
- (2) To eliminate segregation or separation based solely on race, sex, color, religion or national origin, since segregation is an impediment to equal opportunity;
- (3) To protect employers, labor organizations, employment agencies, property owners, real estate brokers, builders, lending institutions, governmental and educational agencies and other persons from unfounded charges of discrimination.

**Sec. 16-3. Territorial application of chapter.**

This chapter shall apply within the territorial limits of the consolidated city and within the territorial limits of the county, with respect to any discriminatory practice:

- (1) Occurring within such territorial limits;
- (2) Relating to acquisition of real estate located within such territorial limits;
- (3) Relating to employment at any location within such territorial limits;
- (4) Relating to education controlled by any public board or agency whose territorial jurisdiction is within such territorial limits, in whole or in part.

**Sec. 16-4. Discriminatory practices declared unlawful.**

Each discriminatory practice relating to the acquisition of real estate, education, public accommodations, public facilities or employment shall be considered unlawful unless it is specifically exempted by this chapter.

**Sec. 16-5. Unlawful acts other than discriminatory practices; penalty.**

- (a) It shall be unlawful for any person to discharge, expel or otherwise discriminate against any other person because:
  - (1) He has filed a complaint alleging a violation of this chapter;
  - (2) He has testified in a hearing before the commission or any panel thereof;
  - (3) He has otherwise cooperated with the commission in the performance of its duties and functions under this chapter;
  - (4) He has requested assistance from the commission in connection with any alleged discriminatory practice, whether or not the discriminatory practice was in violation of this chapter.
- (b) It shall be unlawful for any person willfully to file a complaint alleging a violation of this chapter with knowledge that the complaint is false in any material respect.
- (c) Any person who violates any of the provisions of this section shall, upon conviction, be subject to a fine in an amount not less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00); provided however, no such fine shall be imposed upon any person against whom the commission has commenced proceedings under this chapter with respect to any violation of subsection (a), which violation is also a discriminatory practice. Any proceeding to impose a penalty under this section shall be commenced within six (6) months after the date the violation occurred.

**Sec. 16-6. Persons and activities to which this chapter does not apply.**

- (a) This chapter shall not apply to employment performed for the Consolidated City of Indianapolis and Marion County and any department or agency thereof, or any employment performed for any political subdivision within the county which is represented by the Corporation Counsel pursuant to I.C. 18-4-7-5.
- (b) This chapter shall not prohibit any not-for-profit corporation or association organized for fraternal or religious purposes or any school, educational or charitable institution owned or conducted by or affiliated with a church or religious institution from giving preference in employment to persons who are members of any such corporation or association or to persons having the same religious affiliation as the organization or institution.
- (c) The provisions of this chapter providing for judicial enforcement shall not apply to any organization or institution described in subsection (a), or to any exclusively social club, corporation or association that is not organized for profit and is not in fact open to the general public.
- (d) This chapter shall not prohibit any organization or institution described in subsection (b) or (c) from restricting or giving preference in regard to the sale, rental or occupancy of real estate which it owns or operates for residential purposes, and incident to its primary purpose or purposes, to persons who are members of the organization or who have the same religious affiliation.
- (e) This chapter shall not apply to the rental of rooms in a boarding house or rooming house or single-family residential unit; provided, however, the owner of the building or unit actually maintains and occupies a unit or room in the building as his residence and, at the time of the rental, the owner intends to continue to so occupy the unit or room therein for an indefinite period subsequent to the rental.
- (f) Except in the case of a discriminatory practice relating to a public accommodation or public facility, the provisions of this chapter providing for judicial enforcement shall not apply to any person who the commission finds, after hearing in accordance with this chapter, has engaged or is engaging in a discriminatory practice pursuant to a voluntary plan adopted to prevent or eliminate de facto segregation, if the commission finds that:
  - (1) Such plan establishes no fixed numbers or percentage for any race, religion or nationality and is reasonably designed to prevent or eliminate de facto segregation or that the state civil rights commission has determined that the plan meets such criteria; and
  - (2) Such plan has been and is consistently followed by persons privy thereto or responsible for administration thereof.
- (g) The following shall not be discrimination on the basis of sex:
  - (1) For any person to maintain separate rest rooms or dressing rooms for the exclusive use of either sex;
  - (2) For an employer to hire and employ employees; for an employment agency to classify or refer for employment any individual; for a labor organization to classify its membership or to classify or refer for employment any individual; or for an employer, labor organization or joint labor-management committee, controlling apprenticeship or other training or retraining programs, to admit or employ any individual in any such program on the basis of sex in those certain instances where sex is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise.

**Sec. 16-7. Nondiscrimination clause in public contracts.**

Every contract to which one of the parties is the city or the county, or any board, department or office of either the city or county, including franchises granted to public utilities, shall contain a provision requiring the nongovernmental contractor and his subcontractors not to discriminate against any employee or applicant for employment to be employed in the performance of the contract, with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his race, sex, color, religion, national origin or ancestry. Breach of this provision may be regarded as a material breach of the contract.

Sec. 16-8-16-22. Reserved.

## ARTICLE II. COMMISSION ON HUMAN RIGHTS

Sec. 16-23. Commission created; purpose.

There is hereby created a commission on human rights empowered as provided in this article to carry out the public policy of the state as stated in section 2 of the Indiana Civil Rights Act, within the territorial boundaries of the consolidated city.

Sec. 16-24. Composition; appointment and terms of members.

- (a) The commission shall consist of twenty-five (25) members appointed in the manner and for the terms provided for in this section as follows:
  - (1) Fifteen (15) members of the commission shall be appointed by the mayor, not more than eight (8) of whom shall be members of the same political party and each of whom shall be a resident of a different council district. Appointments shall be for three-year terms.
  - (2) Ten (10) members of the commission shall be appointed by the city-county council, not more than five (5) of whom shall be members of the same political party, and each of whom shall be a resident of a different council district.  
Each appointment shall be for a term of three (3) years.
- (b) In making appointments to the commission, the appointing authorities designated in this section shall take into consideration all interests in the community, including but not limited to racial, ethnic, religious and economic groups, business, labor and the general public.
- (c) A commission member may be removed for cause but for no other reason, by the appointing authority which appointed him.
- (d) In the event of the death, resignation or removal of any member of the commission prior to the expiration of his term, the vacancy shall be filled by the appropriate appointing authority for the unexpired term of the member.
- (e) At each annual meeting the commission shall elect from its membership a chairperson, vice-chairperson and secretary.
- (f) All appointments shall be for terms beginning the first day of January and ending the last day of December. Any member of the commission whose terms has expired may continue in office until a successor has been appointed.

Sec. 16-25. Organization.

At its first meeting, and thereafter at each annual meeting, the commission shall elect from its membership a chairman, a vice-chairman and a secretary.

Sec. 16-26. Meetings; vote required for commission action.

The commission shall hold one (1) regular meeting each month and special meetings as may be called by the chairperson or the vice-chairperson. The February meeting shall be the annual meeting at which officers shall be elected. One-third of the members of the commission, excluding vacancies shall constitute a quorum at any meeting. A majority vote of those in attendance shall be necessary for action, except in the case of a determination after hearing provided in section 16-51, when a majority of the members of the commission not disqualified from participation in such determination shall be required.

Sec. 16-27. General powers and duties.

The commission shall have the following powers and duties:

- (1) To establish and maintain a permanent office in the county.
- (2) To appoint an executive committee consisting of not less than seven (7) members of the commission, a majority of which shall constitute a quorum, which committee shall be authorized to act upon emergency matters between meetings of the commission; provided, however, the executive committee shall not take any action inconsistent with action previously taken or policies adopted by the commission, and the executive committee shall not exercise any of the powers or functions of the commission under sections 16-44 through 16-52.

- (3) To establish such subcommittees and advisory committees as in its judgment will aid the commission in effectuating the purposes of this chapter.
- (4) To appoint, with the approval of the mayor, and the City-County Council, an executive director, who shall report all business of the Commission to the Director of Administration, who shall be the chief administrative officer of the commission and who shall devote full time and effort to the business of the commission and the administration of this chapter. The executive director shall serve at the pleasure of the commission.
- (5) To appoint such agents, staff and employees as the commission shall deem necessary and appropriate to carry out its duties and the provisions of this chapter, within the limitation of its approved budget, provided, however, any staff employees who are to be responsible to the executive director shall be appointed upon the recommendation of the executive director. All such agents and employees shall serve at the pleasure of the commission. The commission may from time to time adopt, amend and rescind rules and regulations, not inconsistent herewith, relating to the terms and conditions of employment, including procedures for hiring and discharge of commission staff personnel.
- (6) To formulate policies designed to effectuate the purposes of this chapter and to make such recommendation to the appointing authorities and to any other agencies and officers of the consolidated city as the commission shall deem appropriate to implement such policies.
- (7) To gather and distribute information for the purpose of improving human relations and removing inequities  
to minority groups in the areas of housing, recreation, education, employment, law enforcement, vocational guidance and related matters.
- (8) To assist other governmental and private agencies, groups and individuals in reducing community tensions  
and preventing conflicts between persons of different facial, ethnic, and religious groups.
- (9) To discourage persons from engaging in discriminatory practices through informal methods of persuasion  
and conciliation and through programs of public information and education.
- (10) To furnish technical assistance upon request to persons subject to this chapter in order to assist such persons  
in eliminating discriminatory practices or otherwise implementing the policy and purposes of the Indiana Civil Rights Act.
- (11) To make such general investigations, studies and surveys as the commission shall deem necessary for the  
performance of its duties.
- (12) To adopt, amend and rescind such rules of procedure or regulations not inconsistent with the provisions  
or intent and purposes of this chapter, as the commission shall deem necessary or appropriate. The rules or regulations, other than regulations relating to personnel referred to in subsection (5) of this section, shall be adopted only after notice and hearing thereon in the manner provided by state law relating to rule making by state agencies. Any rule or regulation adopted by the commission shall be submitted to the corporation counsel for approval as to legality. Upon approval by the corporation counsel, the commission shall cause the rule or regulation to be printed or duplicated in such a manner as to be readily available to interested persons and the public, and shall thereupon file the original approved copy and one (1) duplicate with the clerk and the clerk of any other city or town which has adopted this chapter. The rule or regulation shall be effective as of the date and time of filing the original approved copy with the clerk.
- (13) To prepare and submit at least annually a report of its activities to the appointing authorities and to the public, which report shall describe the investigations and proceedings conducted by the commission, the outcome thereof and the progress and achievements of the commission and the community toward elimination of discriminatory practices.

- (14) To receive any complaint referred to the commission by the state civil rights commission pursuant to section 11a of the Indiana Civil Rights Act, and to take such action with respect to any such complaint as is authorized or required in the case of a complaint filed under section 16-44.
- (15) To cooperate with the state civil rights commission, any appropriate federal, state or local agencies, with private organizations, individuals and neighborhood associations in order to effectuate the purposes of this chapter and to further compliance with federal, state and local laws and ordinances prohibiting discriminatory practices.
- (16) To exercise such additional powers or functions as may be delegated to the commission by ordinance or by executive order validly adopted or promulgated by the appropriate executive authority of the consolidated city.

Sec. 16-28. Attachment to department of administration for fiscal purposes, taxing area.

For purposes of the preparation of the annual budget of the consolidated city and the making of appropriation therefor, the commission shall be considered as a separate division within the department of administration. Any tax to be levied on behalf of the commission shall be levied upon all property within its territorial jurisdiction, as defined in this chapter, and in accordance with Indiana Code, section 18-4-5-8.

Secs. 16-29 through 16-43. Reserved.

### ARTICLE III. ENFORCEMENT PROCEDURES

Sec. 16-44. Grounds for complaint; persons who may file; persons against whom a complaint may be made.

A complaint charging that any person has engaged in or is engaging in a discriminatory practice prohibited by this chapter may be filed with the commission by any person claiming to be aggrieved by the practice, or by one or more members of the commission who have reasonable cause to believe that a violation of this chapter has occurred, in any of the following instances:

- (1) In the case of the acquisition of real estate, against the owner of the real estate, a real estate broker, real estate salesman or agent, or a lending institution or appraiser;
- (2) In the case of education, against the governing board of any public school district which operates schools within the territorial limits of the consolidated city or of the county;
- (3) In the case of a public accommodation, against the owner or person in charge of any such establishment, or both;
- (4) In the case of a public facility, against the governmental body which operates or has jurisdiction over the facility;
- (5) In the case of employment, against any employer, employment agency or labor organization.

Sec. 16-45. Contents of complaint.

To be acceptable by the commission, a complaint shall be sufficiently complete so as to reflect properly the full name and address of the complainant or other aggrieved person or persons; the full name and address of the person against whom the complaint is made; the alleged discriminatory practice and a statement of particulars thereof, the date or dates of the alleged discriminatory practice, if the alleged discriminatory practice is of a continuing nature, the dates between which the continuing discriminatory practices are alleged to have occurred; and a statement as to any other action, civil or criminal, instituted before any other administrative agency, commission, department or court, whether state or federal, based upon the same grievance alleged in the complaint, with a statement as to the status or disposition of any such other action.

**Sec. 16-46. Execution and verification of complaint.**

The original complaint shall be signed and verified before a notary public or other person duly authorized by law to administer oaths and take acknowledgments. Notarial services shall be furnished by the commission without charge. To be acceptable by the commission a complaint shall be sufficiently complete so as to reflect properly the full name and address of the complainant or other aggrieved person or persons; the full name and address of the person against whom the complaint is made; the alleged discriminatory practice and a statement of particulars thereof; the date or dates of the alleged discriminatory practice, and if the alleged discriminatory practice is of a continuing nature, the dates between which the continuing discriminatory practices are alleged to have occurred; and a statement as to any other action, civil or criminal, instituted before any other administrative agency, commission, department or court, whether state or federal, based upon the same grievance alleged in the complaint, with a statement as to the status or disposition of any such other action.

**Sec. 16-47. Timeliness of complaint.**

No complaint shall be valid unless filed within ninety (90) days from the date of occurrence of the alleged discriminatory practice or, in the case of a continuing discriminatory practice, during the time of the occurrence of the alleged practice.

**Sec. 16-48. Referral of complaint to state civil rights commission.**

The executive director may, in his discretion, either before or after initiation of proceedings under section 16-50, but prior to scheduling of the complaint for hearing under section 16-51, refer any complaint to the state civil rights commission for proceedings in accordance with the Indiana Civil Rights Act. The executive director shall refer any complaint to the state civil rights commission if so directed by the commission established in this chapter.

**Sec. 16-49. Service of complaint on respondent; answer.**

The executive director shall cause a copy of the complaint to be served by certified mail upon the respondent, who may file a written response to the complaint at any time prior to the close of proceedings with respect thereto, except as otherwise provided in section 16-51. The complaint and any response received shall not be made public by the executive director, the commission or any member thereof or any agent or employee or the commission, unless and until a public hearing is scheduled thereon as provided in section 16-51.

**Sec. 16-50. Investigation and conciliation.**

- (a) "Investigation". Within ten (10) days after the receipt of a complaint filed pursuant to this article, the executive director shall initiate an investigation of the alleged discriminatory practice charged in the complaint. All such investigations shall be made by members of the commission or the staff members and may include informal conferences or discussions with any party to the complaint for the purpose of obtaining additional information or attempting to resolve or eliminate the alleged discriminatory practice by conciliation or persuasion.
- (b) "Report of investigation". Unless the complaint has been satisfactorily resolved prior thereto, the executive director shall, within thirty (30) days after the date of filing of a complaint pursuant to this article, report the results of the investigation made pursuant to subsection (a) to the chairman or vice-chairman of the commission, or to such other members of the commission as may be designated pursuant to its rules, together with his recommendations as to whether there is reasonable cause to believe that the respondent has violated this chapter. The chairman, vice-chairman or such other member of the commission so designated may, for good cause shown, extend the time for making such report.
- (c) "Panel to determine cause to believe violation occurred". The report made pursuant to subsection (b) shall be submitted to a panel of three (3) members of the commission designated by the chairman or vice-chairman or pursuant to the rules of the commission, which panel shall not include any member of the commission who initiated the complaint or who participated in investigation of the complaint. The panel shall determine by majority vote whether reasonable cause exists to believe that any respondent has violated this chapter. In making such a

determination, the commission panel shall consider only the complaint, the response, if any, and the executive director's report; provided, however, the panel may request the executive director to make a supplemental investigation and report with respect to any matter which it deems material to such determination.

- (d) "Action when no violation found". If the commission panel, pursuant to subsection (c), finds no reasonable cause to believe that the respondent has violated this chapter, it shall direct that the complaint be dismissed. Within ten (10) days after notification of the dismissal, the complainant may request in writing that his complaint be submitted to the full commission for review, in which event the full commission shall affirm or reverse the finding of the panel. No member of the commission who initiated the complaint or participated in the investigation thereof shall participate in such determination.
- (e) "Conciliation when violation found". If the commission panel or the full commission, pursuant to subsection (c) or (d) determines that reasonable cause exists to believe that any respondent has violated this chapter, it shall direct the executive director to endeavor to eliminate the alleged discriminatory practice through a conciliation conference. At least one (1) commissioner shall be present at any conciliation conference at which both the complainant and respondent are present or represented. If the complaint is satisfactorily resolved through conciliation, the terms of any agreement reached or undertaking given by any party shall be reduced to writing and signed by the complainant, respondent and the executive director. Any disagreement between the respondent and the executive director in regard to the terms or conditions of a proposed conciliation agreement may be referred to the commission panel which considered the complaint, and the decision of the panel with respect to such terms or conditions shall be final for purposes of conciliation proceedings under this subsection, but shall not be binding upon the respondent without his written consent thereto. No action taken or statement made in connection with any proceedings under this subsection, and no written conciliation agreement or any of the terms thereof, shall be made public by the commission or any member thereof, or any agent or employee of the commission, without the written consent of the parties, nor shall any such action, statement or agreement be admissible in evidence in any subsequent proceeding under this article; provided, however, the commission may institute legal proceedings under this article for the enforcement of any written agreement or undertaking executed in accordance with this subsection.

**Sec. 16-51. Hearings, findings and recommendations when conciliation not effected.**

- (a) "Hearing to be held; notice". If a complaint filed pursuant to this article has not been satisfactorily resolved within a reasonable time through informal proceedings pursuant to section 16-50, the commission may hold a public hearing thereon upon not less than ten (10) days' written notice to the complainant or other aggrieved person, and to the respondent. If the respondent has not previously filed a written response to the complaint he may file such response and serve a copy thereof upon the complainant not later than three (3) days prior to the date of the hearing.
- (b) "Commission powers; rights or parties at hearing". In connection with a hearing held pursuant to subsection (a), the commission shall have power to subpoena witnesses and compel their attendance; to require the production of pertinent books, papers or other documents; to administer oaths; and to take the testimony of witnesses under oath or affirmation, administered by any person qualified to administer oaths, upon any matter pertinent to the complaint or response thereto. The complainant and respondent shall have the right to appear in person at the hearing, to be represented by an attorney or any other person, to subpoena and compel the attendance of witnesses, and to examine and cross-examine witnesses. The commission may adopt appropriate rules for the issuance of subpoenas and the conduct of hearings under this section, which rules may include provisions for the appointment of hearing panels to consist of not less than five (5) members of the commission with the power to conduct hearings under this section. The commission shall have the power to enforce subpoenas by appropriate petition to the Municipal Court of Marion County.

- (c) "Statement of evidence; exceptions, argument". If the hearing held pursuant to this section is conducted by a hearing panel, the evidence heard shall be reduced to writing and filed with the commission and the panel shall submit a report thereon to the full commission containing recommended findings of fact and conclusions. A copy of the report shall be furnished to the complainant and respondent, each of whom shall have an opportunity to submit written exceptions within such time as the rules of the commission shall permit. The commission may, in its discretion, upon notice to each interested party hear further evidence or argument upon the issues presented by the report and exceptions, if any. If the hearing is conducted by the full commission, a reasonable opportunity shall be provided to each party, in accordance with rules of the commission, to present written or oral arguments following such hearing.
- (d) "Findings of fact; sustaining or dismissing complaint". The commission shall make its findings of fact and conclusions solely upon the record of the evidence presented at the hearing before the hearing panel or the commission. If, upon the preponderance of the evidence, the commission shall be of the opinion that any respondent has engaged or is engaging in a discriminatory practice in violation of this chapter, it shall state its findings of fact and conclusions and serve a copy thereof upon the respondent. If, upon the preponderance of the evidence, the commission shall be of the opinion that any respondent has not engaged in a discriminatory practice in violation of this chapter, it shall state its findings of fact and conclusions, serve a copy thereof upon the complainant, and dismiss the complaint.
- (e) "Members of commission who are ineligible to participate". No member of the commission who initiated a complaint under this article or who participated in the investigation thereof shall participate in any hearing or determination under this section as a member of either a hearing panel or of the full commission.
- (f) "Applicability of state law; judicial review". Except as otherwise specifically provided in this section or in rules adopted by the commission under this chapter, the applicable provisions of chapter 365 of the Acts of 1947 of the Indiana General Assembly, as amended, shall govern the conduct of hearings and determinations under this section, and findings of the commission hereunder shall be subject to judicial review as provided in that act.

**Sec. 16-52. Court enforcement.**

- (a) "Institution of action". In any case where the commission has found in accordance with section 16-51 that a respondent has engaged in or is engaging in a discriminatory practice in violation of this chapter, and such respondent has failed to correct or eliminate such discriminatory practice within ten (10) days after service upon him of the commission's findings, the commission may file in its own name in the Marion Circuit Court, the Superior Court of Marion County or the Municipal Court of Marion County a complaint against the respondent for the enforcement of this chapter. Such complaint may request such temporary or permanent injunctive relief as may be appropriate and such additional affirmative relief or orders as will effectuate the purposes of this chapter and as may be equitable, within the powers and jurisdiction of the court.
- (b) "Record of commission hearing; evidentiary value". In any action filed pursuant to this section, the commission may file with the court a record of the hearing held by the commission or a panel thereof pursuant to this article, which record shall be certified by the secretary of the commission as a true, correct and complete record of the proceedings upon which the findings of the commission were based. The court may, in its discretion, admit any evidence contained in the record as evidence in the action filed under subsection (a), to the extent such evidence would be admissible in court under the rules of evidence if the witness or witnesses were present in court, without limitation upon the right of any party to offer such additional evidence as may be pertinent to the issues and as the court shall, in its discretion, permit.

- (c) "Temporary judicial relief upon filing of complaint". Upon the filing of a complaint pursuant to section 16-44 by a person claiming to be aggrieved, the executive director may, with the approval of not less than three (3) members of the commission, including the chairman or vice-chairman, in accordance with such procedures as the commission shall establish by rule, file a verified petition with a copy of the complaint attached in the Marion Circuit Court, the Superior Court of Marion County or the Municipal Court of Marion County seeking appropriate temporary relief or an injunction to prevent irreparable harm to the complainant, pending resolution of the complaint by the commission and the institution and completion of proceedings pursuant to this article.
- (d) "Enforcement of conciliation agreements". If the commission determines that any party to a conciliation agreement approved by the executive director under this article has failed or refused to comply with the terms of the agreement, it may file a complaint in the name of the commission in the Marion Circuit Court, the Superior Court of Marion County or the Municipal Court of Marion County seeking an appropriate decree for enforcement of the agreement.

**SECTION 2.**

- (a) 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, 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.
- (b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

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

PROPOSAL NO. 233, 1979. Councillor Parker reported that this proposal appoints Alexander T. "Skip" Lange to the Marion County Building Authority Board of Trustees. Miss Parker moved, seconded by Councillor Gilmer for the adoption of this proposal. The proposal was then adopted by unanimous voice vote.

Proposal No. 233, 1979, was retitled COUNCIL RESOLUTION NO. 14, 1979, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1979**  
**A COUNCIL RESOLUTION appointing Alexander T. "Skip" Lange to the Marion County Building Authority Board of Trustees.**

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

**SECTION 1.** As a member of the Marion County Building Authority Board of Trustees, the Council appoints:

**Alexander T. Lange**

**SECTION 2.** The foregoing appointment shall be for a term of four years beginning June 2, 1979, and ending June 2, 1983, at the pleasure of the Council and until a successor is appointed.

PROPOSAL NO. 278, 1979. Councillor Schneider stated that this proposal adds an additional clerk and investigator to the office of the Warren Township Trustee's Office. Councillor Schneider then moved, seconded by Councillor Patterson, the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 278, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 278, 1979, Council Staff Corrected Version, As Amended by Committee."

**Councillor Schneider**

The motion carried by unanimous voice vote. The proposal was then adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West.

NO NOES

6 NOT VOTING: Mr. Boyd, Mr. Cantwell, Mr. Kimbell, Mr. Page, Miss Parker, Mr. McGrath

Proposal No. 278, 1979, As Amended, was retitled GENERAL ORDINANCE NO. 65, 2979 and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 65, 1979**

A GENERAL ORDINANCE amending the salaries to be paid all elected and appointed officers and employees of Warren Township in Marion County, Indiana, pursuant to IC 17-4-28, and General Ordinance No. 85, 1979.

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

SECTION 1. General Ordinance No. 85, 1978, Section 8, is hereby amended by the corsshatched numbers and inserting in lieu thereof, the underlined numbers: Warren Township. The maximum salaries of the elected and appointed officers and employees of Warren Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978 are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	7,000.00	7,000.00
Township Clerk-Secretary			
Bookkeeper, Investigator	1	<u>7,353.00</u>	<u>7,353.00</u>
Advisory Board Members	3	490.00	1,470.00
Clerk for Small Claims Court	1	<u>7,535.00</u>	<u>7,535.00</u>
Clerk for Small Claims Court	1	<u>8,089.00</u>	<u>8,089.00</u>
Clerk for Small Claims Court	<u>1/1</u>	<u>6,850.00</u>	<u>6,850.00</u>
Judge for Small Claims Court	1	<u>13,200.00</u>	<u>13,200.00</u>
FIRE DEPARTMENT PERSONNEL			
First Class Firemen	22	13,219.00	290,818.00
Dispatchers	3	12,558.00	37,674
Clerk for Warren Township, Fire Prev. Off. Sten., Bkpr.	1	<u>8,089.00</u>	<u>8,089.00</u>
Clerk for Fire Prevention Office (part time)	1	<u>3,432.00</u>	<u>3,432.00</u>
POOR RELIEF PERSONNEL			
Investigator, Bkpr., Typist	<u>1/1</u>	<u>7,535.00</u>	<u>7,535.00</u>
Additional Investigator	<u>1</u>	6,143.00	6,143.00
TOTAL	<u>40</u>		<u>420,309.00</u>

PROPOSAL NO. 255, 1979. Councillor McGrath stated that this proposal was a routine traffic ordinance designating Gray Street as one-way northbound between Michigan and 10th Streets. Councillor McGrath moved for adoption, seconded by Councillor Anderson. The proposal was adopted on the following roll call vote; viz:

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

NO NOES

6 NOT VOTING: Mr. Cantwell, Mr. Clark, Mrs. Journey, Mr. Kimbell, Mr. Page, Miss Parker

Proposal No. 255, 1979, was retitled GENERAL ORDINANCE NO. 66, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 66, 1979

A GENERAL ORDINANCE designating Gray Street, as one-way northbound, between Michigan and 10th Streets.  
[Amends Code Sec. 29-166].

BE IT ORDAINED BY THE CITY—COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND 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" be, and the same is hereby amended by the addition of the following, to wit:

NORTHBOUND

Gray Street, from Michigan Street to 10th 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. 257, 1979. Councillor McGrath stated that his proposal prohibits parking on certain portions of Whittier Place and 17th Streets. Councillor McGrath then moved the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 257, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 257, 1979, Committee Recommendations."

Councillor McGrath

The motion carried by unanimous voice vote. The proposal was then adopted on the following roll call vote; viz:

20 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

9 NOT VOTING: Mr. Cantwell, Mr. Clark, Mr. Howard, Mr. Kimbell, Mr. Page, Miss Parker, Mr. Schneider, Mrs. Stewart, Mr. Walters

Proposal No. 257, 1979, As Amended, was retitled GENERAL ORDINANCE NO. 67, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 67, 1979

A GENERAL ORDINANCE prohibiting parking on certain portions of Whittier Place and 17th Streets. [Amends Code Sec. 29-267].

BE IT ORDAINED BY THE CITY—COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND 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 deletion of the following, to wit:

Whittier Place  
on the westside, from 16th Street to 17th Street

PART II

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

ON ANY DAY  
Except Saturdays, Sundays or Holidays  
From 8:00 a.m. to 5:00 p.m.  
Whittier Place  
on both sides, from 16th Street to 18th Street  
17th Street  
on both sides, from Whittier Place to Irvington Avenue

PART III

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 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. 238, 1979. Councillor McGrath stated that this proposal provides for the removal of parking meters on Massachusetts Avenue between College Avenue and 10th Streets. Councillor McGrath then moved, seconded by Councillor Hawkins, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 238, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 238, 1979, Committee Recommendations."

Councillor McGrath

The motion carried by unanimous voice vote. Councillor McGrath then moved for adoption of this proposal, seconded by Councillor Lyons. Proposal No. 238, 1979, As Amended, was then adopted on the following roll call vote; viz:

19 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES

10 NOT VOTING: Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Howard, Mr. Kimbell, Mr. Page, Miss Parker, Mr. Tintera

Proposal No. 238, 1979, As Amended, was retitled GENERAL ORDINANCE NO. 68, 1979, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 68, 1979**

A GENERAL ORDINANCE to remove parking meters on Massachusetts Avenue between College Avenue and 10th Street [ Amends Code Section 29-283 ].

**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. 29-283. Parking meter zones designated," be and the same is hereby amended by the deletion of the following, to wit:

**TWO HOURS**

Massachusetts Avenue, on both sides,  
from Michigan Street to Cornell Avenue

**PART II**

Chapter 29 of the Code of Indianapolis and Marion County, specifically "Sec. 29-283. Parking meter zones designated," be and the same is hereby amended by the addition of the following, to wit:

**TWO HOURS**

Massachusetts Avenue, on both sides,  
East Street to College Avenue

**PART III**

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

**PART IV**

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

PROPOSAL NO. 243, 1979. Councillor Durnil stated that this proposal provides for a street name change in Councillor Hawkin's District, and moved for its adoption. The proposal was then adopted on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Lyons, Mr. McGrath, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES

4 NOT VOTING: Mr. Kimbell, Mr. Page, Miss Parker, and Mr. Patterson

Proposal No. 243, 1979, was retitled SPECIAL RESOLUTION NO. 26, 1979, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 26, 1979**

A SPECIAL RESOLUTION changing the name of a certain street in the Consolidated C

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

**SECTION 1.** The name of the street presently known as Anderson Street from the 1 to 499 block west, as such street is located in the City of Indianapolis, Indiana, be changed and designated as Farber Street.

**SECTION 2.** This ordinance shall be in full force and effect from and after adoption approval by the mayor.

PROPOSAL NO. 267, 1979. Councillor Miller reported that this proposal transfers monies in order to effect the transfer of the claims processor from Central Purchasing to the Controller's and Auditor's Offices. Councillor Miller then moved the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 267, 1979, by deleting the introduced version, and substituting therefore, the proposal entitled: "Proposal No. 267, 1979, Council Staff Corrected Version, As Amended."

**Councillor Miller**

The motion was adopted by consent. Councillor Miller then moved, seconded by Councillor Patterson, for adoption of Proposal No. 267, 1979, As Amended. The proposal 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. Howard, Mrs. Journey, Mr. Lyons, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West.

NO NOES

8 NOT VOTING: Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mr. Kimbell, Mr. McGrath, Mr. Page, Miss Parker, and Mr. Walters.

Proposal No. 267, 1979, As Amended, was retitled FISCAL ORDINANCE NO. 80, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Thirteen Thousand nine Hundred fifteen Dollars (\$13,915) in the Consolidated County Fund for purposes of Purchasing Divison, Department of Administration 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 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 effecting the transfer of the claims processors from Central Purchasing to the City Controller and the County Auditor offices to smooth the paper flow for payment of city and county accounts payable.

SECTION 2. The sum of Thirteen Thousand nine Hundred fifteen dollars (\$13,915) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF ADMINISTRATION DIVISION OF PURCHASING	CONSOLIDATED COUNTY FUND
21. Contractual Services	\$13,915
TOTAL INCREASES	\$13,915

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

DEPARTMENT OF ADMINISTRATION DIVISION OF PURCHASING	CONSOLIDATED COUNTY FUND
10. Personal Services	\$12,825
24. Current Charges	577
25. Current Obligations	513
TOTAL REDUCTION	\$13,915

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

PROPOSAL NOS. 323-327, 1979. No action on these proposals. They were retitled REZONING ORDINANCES NOS. 70-74, 1979, and read as follows:

REZONING ORDINANCE NO. 70, 1979. 79-Z-18. DECATUR TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19

5701 KENTUCKY AVENUE, INDIANAPOLIS

Jack and Brenda Reed, 5701 Kentucky Avenue request rezoning of 1.00 acre, being in D-3 district, to C-3 Classification to permit the operation of a retail flower shop.

REZONING ORDINANCE NO. 71, 1979. 79-Z-67. WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 17

2702 COLD SPRING ROAD, INDIANAPOLIS

Fairbanks Hospital, 1575 Northwestern Avenue requests rezoning of 23.76 acres, being in D-4 and D-6 II districts, to Hospital District-One (HD-1) classification to provide for relocation and expansion of hospital.

**REZONING ORDINANCE NO. 72, 1979. 79-Z-72. PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
3802 SOUTH MADISON AVENUE, INDIANAPOLIS**  
Gerhard Klemm, 315 East South Street, Indianapolis, requests rezoning of 2.37 acres, being in A-1 district, to C-5 classification to provide for commercial uses.

**REZONING ORDINANCE NO. 73, 1979. 79-Z-73. LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 5  
4340 SHADELAND AVENUE, INDIANAPOLIS**  
Kathleen Mae Matchett, 4340 Shadeland Avenue requests rezoning of 3.58 acres, being in A-2 district, to C-3 classification, to provide for a gift shop.

**REZONING ORDINANCE NO. 74, 1979. 79-Z-74. FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
7119 SOUTHEASTERN AVENUE, INDIANAPOLIS**  
George Lyon requests rezoning of 1.36 acres, being in A-2 district, to C-3 classification, for extension of existing retail and office center.

PROPOSAL NOS. 328-332, 1979. No action was taken on these proposals. They were retitled REZONING ORDINANCES NOS. 75-79, 1979, and read as follows:

**REZONING ORDINANCE NO. 75, 1979. 79-Z-45. WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1  
9204 CRAWFORDSVILLE ROAD, INDIANAPOLIS**  
Clermont Christian Church, 9204 Crawfordsville Road, requests rezoning of 2.48 acres, being in C-3 districts, to SU-1 classification for church purposes.

**REZONING ORDINANCE NO. 76, 1979. 79-Z-56. CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 21  
1504 SHELBY STREET, INDIANAPOLIS**  
John Mulinaro, 9427 East 43rd Street, requests rezoning of 0.047 acres, being in C-2 district, to C-4 classification, to provide for commercial development.

**REZONING ORDINANCE NO. 77, 1979. 79-Z-59. DECATUR TOWNSHIP  
COUNCILMANIC DISTRICT NO. 28  
3002 McCLURE STREET, INDIANAPOLIS**  
Lannan Insurance & Real Estate and Dorothy C. Lannan, Indianapolis, request rezoning of 0.059 acres, being in D-5 District, to C-1 classification to provide for professional insurance and real estate broker business, with signage.

**REZONING ORDINANCE NO. 78, 1979. 79-Z-61. PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1  
3599 WEST 96th STREET, INDIANAPOLIS**  
North Congregation of Jehovah's Witnesses, Indianapolis, requests rezoning of 1.00 acre, being in I-2-S district, to SU-1, classification to provide for construction of a meeting hall for church purposes.

**REZONING ORDINANCE NO. 79, 1979. 79-Z-62. PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
5851 SOUTH HARDING STREET, INDIANAPOLIS**  
Dennis and Mary Jane Robinson and Realco, Inc. request rezoning of 2.156 acres, being in I-2-S district, to I-1-S Classification to permit the development and use of an automotive tire retreading facility and related uses.

PROPOSAL NOS. 333-343, 1979. No action was taken on these proposals. They were retitled REZONING ORDINANCE NOS. 80-90, 1979, and read as follows:

**REZONING ORDINANCE NO. 80, 1979. 79-Z-64. PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
6221-6229-6239 SOUTH HARDING STREET, INDIANAPOLIS**  
Rex J. and Shirlye A. Dawson, 6229 South Harding Street, request rezoning of 2.146 acres, being in A-2 District, to C-ID classification, to provide for general plumbing heating and air conditioning construction contractor.

**REZONING ORDINANCE NO. 81, 1979. 79-Z-65. PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
6309 SOUTH HARDING STREET, INDIANAPOLIS**  
Hobart O. & Brenda J. Skaggs, 6331 S. Harding Street, request rezoning of 1.138 acres, being in A-2 district, to C-ID classification, to provide for storage of trees, shrubs, equipment of landscape contractor.

**REZONING ORDINANCE NO. 82, 1979. 79-Z-66. PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
237 WEST SOUTHPORT ROAD, INDIANAPOLIS**  
Edward Frazier requests rezoning of 24.29 acres, being in A-2 district, to D-3 classification to provide for residential use by platting.

**REZONING ORDINANCE NO. 83, 1979. 79-Z-75. PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
2120 NATIONAL AVENUE, INDIANAPOLIS**  
Southside Baptist Church of Indiana, Inc. 1401 E. Pleasant Run Pkwy., S. Dr., requests rezoning of 15.12 acres, being in SU-1 district, to C-ID classification to provide for commercial-industrial business use.

**REZONING ORDINANCE 84, 1979 79-Z-80. CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 22  
17 NORTH HIGHLAND AVENUE, INDIANAPOLIS**  
Thomas K. & Dorthy Gooch, Trustees of One Way Apostolic Faith Mission, Inc., 17-19 N. Highland Avenue, request rezoning of 0.06 acres, being in D-8 district, to SU-1 classification, to provide for construction of a church and parking area.

**REZONING ORDINANCE NO. 85, 1979. 79-Z-81. WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 17  
3425 WEST 16TH STREET, INDIANAPOLIS**  
Wendy's International, Inc., P.O. Box 256, Dublin, Ohio, requests rezoning of 1.097 acres, being in C-4 and D-5 district to C-4 classification, to provide for additional parking area.

**REZONING ORDINANCE NO. 86, 1979. 79-Z-82. PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1  
7250 NORTH ZIONSVILLE ROAD, INDIANAPOLIS**  
The Indiana National Bank, Trustee, Indianapolis, requests rezoning of 100.02 acres, being in A-2 & C-4 districts, to I-2-S classification, to provide for light industrial, warehouse, office warehouse and other uses permitted in an industrial park complex.

**REZONING ORDINANCE NO. 87, 1979. 79-Z-83. PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1  
5702 WEST 71st STREET, INDIANAPOLIS**  
The Indiana National Bank, Trustee, Indianapolis, requests rezoning of 19.40 acres, being in A-2 district, to C-3 classification, to provide for construction of a small shopping area and offices.

REZONING ORDINANCE NO. 88, 1979. 79-Z-84. WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 12  
7701 EAST 21ST STREET, INDIANAPOLIS

Village Associates, an Indiana Partnership, 910 Shadeland Avenue, requests rezoning of 9.773 acres, being in D-6 II district, to Su-7 classification to permit a center for the education and training of the mentally retarded by the Marion County Association for the Retarded Citizens.

REZONING ORDINANCE NO. 89, 1979. 79-Z-85. CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 23  
4545 SOUTHEASTERN AVENUE, INDIANAPOLIS

Estate of F.A. & Ann Wilhelm, by Phillip J. Wilhelm, Executor c/o Southeastern Supply Co., Inc., 3916 Prospect, Indianapolis, request rezoning of 2.365 acres, being in C-3 district, to C-ID classification, to provide for wholesale roofing supply business.

REZONING ORDINANCE NO. 90, 1979. 79-Z-86. PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1  
5901 WEST 71st STREET, INDIANAPOLIS

Indiana Realty Advisers, Inc. requests rezoning of 11.057 acres, being in C-6 & C-1 districts, to C-S classification to permit development of an office-commercial-industrial complex, as per plans on file.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Schneider moved, seconded by Councillor Dowden, to adjourn. A voice vote was taken, and the Chair called for a division of the house. A roll call vote was then taken, and the motion carried by 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, Mr. Tinder.

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

2 NOT VOTING: Mr. Kimbell and Mr. Page.

The meeting was then adjourned at 9:45 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 16th day of July, 1979.

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

ATTEST:

  
President

  
Clerk of the City-County Council