

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, May 22, 1978**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:17 p.m., Monday, May 22, 1978, President SerVaas in the chair. Councilperson Paula Chambers opened the meeting with a prayer followed by the Pledge of Allegiance.

**ROLL CALL**

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

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

*ABSENT: Mr. Patterson.*

**CORRECTION OF JOURNAL**

The Chair called for additions or corrections to the Journal of April 24, 1978. There being no additions or corrections, the minutes were approved as distributed.

**OFFICIAL COMMUNICATIONS**

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

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

**Ladies and Gentlemen:**

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers on Monday, May 22, 1978, at 7:00 p.m., the purpose of such meeting being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

s/Beurt SerVaas, President  
City-County Council

May 9, 1978

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis COMMERCIAL and the Indianapolis NEWS on May 11, 1978 and May 18, 1978, a NOTICE TO TAXPAYERS on Proposals No. 202 and 206, 1978, for a Public Hearing to be held on Monday, May 22, 1978, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

May 12, 1978

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:

GENERAL RESOLUTION NO. 2, 1978, approving certain amendments to the 1978 calendar year budget of the Capitol Improvements Board of Marion County.

FISCAL ORDINANCE NO. 57, 1978, amending the City-County Annual Budget for 1978 and appropriating an additional six million dollars in the Manpower Federal Programs Fund for purposes of the Employment and Training Division, Department of Administration and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Manpower Federal Programs Fund.

FISCAL ORDINANCE NO. 58, 1978, amending the City-County Annual Budget for 1978 and appropriating an additional two hundred fifty thousand dollars in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation Fund.

FISCAL ORDINANCE NO. 61, 1978, amending the City-County Annual Budget for 1978 transferring and appropriating fifteen thousand dollars in the Flood Control Fund for purposes of the Flood Control Division, Department of Public Works and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 61, 1978, amending Chapter 20 of the Code of Indianapolis and Marion County to conform to Indiana state law and the provisions thereof.

GENERAL ORDINANCE NO. 63, 1978, amending the Code of Indianapolis and Marion County by prohibiting certain litter within the City, penalizing violations, and providing for abatement by the City of excessive litter conditions.

GENERAL ORDINANCE NO. 64, 1978, establishing intersection controls at certain intersections.

GENERAL ORDINANCE NO. 65, 1978, changing the speed limit on a certain portion of North DeQuincy Street.

**GENERAL ORDINANCE NO. 66, 1978, creating parking restrictions and establishing speed limits on a portion of East 30th Street.**

**GENERAL ORDINANCE NO. 67, 1978, amending the "Code of Indianapolis and Marion County" thereby requiring licensing of certain escort services, body painting studios, and nude modeling studios.**

**GENERAL ORDINANCE NO. 62, 1978, establishing drainage and sediment control.**

Respectfully submitted,

s/William H. Hudnut, III MAYOR

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

PROPOSAL NO. 209, 1978. Mr. Clark moved, seconded by Mr. Vollmer, the adoption of this proposal which appointed William Schmadeke to the Board of Trustees of the Indianapolis-Marion County Building Authority. After the formal introduction of Mr. Schmadeke, Proposal No. 209, 1978, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 13, 1978, and reads as follows:

### CITY-COUNTY COUNCIL RESOLUTION NO. 13, 1978

**A COUNCIL RESOLUTION appointing a member of the Board of Trustees of the Indianapolis-Marion County Building Authority.**

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

**SECTION 1. The City-County Council does hereby appoint William A. Schmadeke to the Board of Trustees of the Indianapolis-Marion County Building Authority for a term ending June 1, 1982.**

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

## INTRODUCTION OF GUESTS

Councilman Pearce introduced Betty Gibbons and Chester Winters. Mr. Boyd had citizens in favor of Proposal No. 121, 1978, stand. Mr. McGrath introduced Marjorie Nackenhorst, Jim Warnicke, William McGregor, Art and Nancy Zoss, and seventy-five citizens from Councilmanic District No. 20 opposed to Proposal No. 205, 1978.

## INTRODUCTION OF PROPOSALS

PROPOSAL No. 214, 1978. Introduced by Mr. Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance approving temporary tax

anticipation borrowing, authorizing the City of Indianapolis to make temporary loans for the use of the Park District Fund and Consolidated County Fund during the period July 1, 1978 to December 31, 1978, in anticipation of current taxes levied in the year 1977 and collectible in the year 1978, authorizing the issuance of tax anticipation time warrants to evidence such loans;” and the President referred it to the Administration Committee.

PROPOSAL NO. 215, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: “A Proposal for a General Ordinance amending the “Code of Indianapolis and Marion County,” thereby revising Chapter 17 with respect to the licensing of dealers of second-hand goods;” and the President referred it to the Administration Committee.

PROPOSAL NO. 216, 1978. Introduced by Mr. Miller. The Clerk read the proposal entitled: “A Proposal for a General Ordinance amending Article V, Chapter 2 of the “Code of Indianapolis and Marion County,” by adding a new section 2-219 creating a division of internal audit;” and the President assigned it to the Administration Committee. Mr. Clark moved, seconded by Mr. Howard, to send this proposal to the Rules & Public Policy Committee. The motion carried on the following roll call vote; viz:

19 AYES: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mrs. Stewart, Mr. Vollmer, and Mr. Walters.*

8 NOES: *Mr. Dowden, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.*

1 NOT VOTING: *Mr. Gilmer.*

PROPOSAL NO. 217, 1978. Introduced by Mr. Miller. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional sixteen thousand seven hundred dollars (\$16,700) in the Consolidated County Fund for purposes of the Personnel Division, Department of Administration, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund;” and the President referred it to the Administration Committee.

PROPOSAL NO. 218, 1978. Introduced by Mr. Schneider. The Clerk read the proposal entitled: “A Proposal for a General Ordinance amending City-County General Ordinance No. 61, 1977) as amended by General Ordinance No. 43, 1978),

to increase the salaries and number of personnel authorized for Perry Township;” and the President referred it to the County & Townships Committee.

PROPOSAL NO. 219, 1978. Introduced by Mr. Tintera. The Clerk read the proposal entitled: “A Proposal for a Special Ordinance authorizing the City of Indianapolis to issue its “Economic Development First Mortgage Revenue Bonds (Combs–Gates Indianapolis, Inc. Project)” in the principal amount of one million dollars (\$1,000,000) and approving and authorizing other actions in respect thereto;” and the President referred it to the Economic Development Committee.

PROPOSAL NO. 220, 1978. Introduced by Mr. Durnil, Mr. Clark, Mr. Vollmer and Mr. Hawkins. The Clerk read the proposal entitled: “A Proposal for a Special Resolution approving the issuance of bonds of the Indianapolis Redevelopment District in an amount not exceeding four million five hundred thousand dollars (\$4,500,000) for the purpose of providing funds to be applied to the cost of acquisition of real estate in, and the replanning and redevelopment of, the blighted and deteriorated area bounded by Court Street, Illinois Street, Washington Street and Capitol Avenue in the City of Indianapolis”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 221, 1978. Introduced by Mr. Durnil. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional fifty thousand dollars (\$50,000) in the Consolidated County Fund for purposes of the Office of the Director of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund;” and the President referred it to the Metropolitan Development Committee. At the request of Councilman Tintera, consent was given to co-assign Proposal No. 121, 1978, to the Economic Development Committee.

PROPOSAL NO. 222, 1978. Introduced by Mrs. Chambers and Mr. Vollmer. The Clerk read the proposal entitled: “A Proposal for a General Ordinance imposing an employment tax on certain employers and employees and establishing the rate of such taxation;” and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 223, 1978. Introduced by Councilman West. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) appropriating an additional forty-eight thousand six hundred twenty-six dollars and

ninety-eight cents (\$48,696.98) in the County General Fund for purposes of the Marion County Sheriff and reducing the unappropriated County General Fund to reclassify the salaries and numbers of CETA employees of the Marion County Sheriff;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 224, 1978. Introduced by Councilman Gilmer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional two hundred thousand dollars (\$200,000) in the Park General Fund for purposes of the Department of Parks & Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund;" and the President referred it to the Parks & Recreation Committee.

PROPOSAL NO. 225, 1978. Introduced by Councilman Gilmer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional two hundred fifty thousand dollars (\$250,000) in the Park General Fund for purposes of the Department of Parks & Recreation and reducing the unappropriated and unencumbered balance in the Park General Fund;" and the President referred it to the Parks & Recreation Committee.

PROPOSAL NO. 226, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance requiring municipal pools to be available one day each week for use by persons under 18 years of age without charge;" and the President referred it to the Parks & Recreation Committee.

PROPOSAL NO. 227, 1978. Introduced by Mrs. Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Chapter 27 of the "Code of Indianapolis and Marion County" repealing certain sections in conflict with recent revisions and making certain technical and renumbering revisions to facilitate orderly codification;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 228, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving the actions of the Transportation Board with respect to certain capital improvements within the Metropolitan Thoroughfare District for the year 1978;" and the President referred it to the Transportation Committee

PROPOSAL NO. 229, 1978. Introduced by Mr. Vollmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection

controls at certain intersections [Amends Code Section 29-92] ;” and the President referred it to the Transportation Committee.

PROPOSAL NO. 230, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional three million three hundred sixteen thousand eight hundred dollars (\$3,316,800) 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. 231, 1978. Introduced by Councilman Anderson. The Clerk read the proposal entitled: “A Proposal for a General Ordinance establishing a speed limit of 40 miles per hour on a certain portion of Girls School Road [Amends Code Section 29-136] ;” and the President referred it to the Transportation Committee.

PROPOSAL NO. 232, 1978. Introduced by Mr. Rippel. The Clerk read the proposal entitled: “A Proposal for a General Ordinance restricting transportation of hazardous materials [Amends Code Chapter 29] ;” and the President referred it to the Transportation Committee.

PROPOSALS NOS. 233-243, 1978. Introduced by Mr. Durnil. The Clerk read the proposals entitled: “Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on May 8, 1978;” and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 244, 1978. Introduced by Mr. Tinder. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional five thousand seven hundred eighty dollars (\$5,780) in the County General Fund for purposes of Superior Court VI and reducing certain other appropriations for Superior Court VI;” and the President referred it to the County & Townships Committee.

#### MODIFICATIONS OF SPECIAL ORDERS

Mrs. Chambers moved, seconded by Mr. Howard, to advance Proposals Nos. 121 and 205, 1978, on the agenda for the convenience of the citizens attending the meeting. Consent was given.

PROPOSAL NO. 121, 1978. Mr. Tinder, Chairman, Rules & Public Policy Committee, reported that the committee recommended passage of this proposal creating Martin Luther King, Jr.'s birthday as a paid city holiday. In the following discussion, Mr. Clark stated another holiday for city employees would cost \$350,000. He therefore moved, seconded by Mr. Tintera, to amend Proposal No. 121, 1978, by the insertion of a revised Proposal No. 121, 1978. In essence, the revised proposal adopted Martin Luther King, Jr.'s birthday as a city holiday and eliminated the personal day from the city calendar. Mr. Boyd and Mr. Howard stated their dissatisfaction with the amendment as not giving Martin Luther King, Jr., enough respect. Mr. West spoke in favor of the amendment because the personal day was initially given in order that some employees could use it on Martin Luther King, Jr.'s birthday. Mr. Dowden moved, seconded by Mr. Bayt, to call the question. Mr. Howard moved, seconded by Mr. Bayt, to recess for a five minute caucus. Consent was given after the vote on Mr. Clark's amendment. After clarification for Mr. Boyd that January 15th would be an official city holiday, Mr. Boyd stated his support of the amendment. The amendment was adopted by unanimous voice vote.

By consent of Mr. Howard and Mr. Bayt, the motion to recess for a caucus was withdrawn. The Chair called for the vote on Proposal No. 121, 1978, As Amended, and Mr. Dowden explained his opposition to the proposal because of its being a racial issue. Proposal No. 121, 1978, As Amended, was then adopted on the following roll call vote; viz:

24 AYES: *Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

4 NOES: *Mr. Anderson, Mr. Dowden, Mr. Rippel and Mr. Schneider.*

Proposal No. 121, 1978, As Amended, was retitled GENERAL ORDINANCE NO. 68, 1978, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 68, 1978**

**A GENERAL ORDINANCE commemorating the birth date of Dr. Martin Luther King, Jr., by making said date a City holiday.**

**WHEREAS, Dr. Martin Luther King, Jr., was born on the 15th day of January, 1929; and,**

**WHEREAS, certain states observe his birthday as a state holiday and certain municipalities observe his birth date as a local holiday; and**



**WHEREAS, the Indianapolis Public Schools do observe January 15th as a school holiday; now, therefore:**

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

**SECTION 1. The "Code of Indianapolis and Marion County," be amended by substituting the following new subsection (a) in Section 23-32.**

**(a) The following are designated as city holidays; namely,**

**New Years Day (January 1)  
Martin Luther King Day (January 15)  
Presidents Day (3rd Monday of February)  
Good Friday (Friday preceding Easter)  
Memorial Day (last Monday of May)  
Independence Day (July 4th)  
Labor Day (1st Monday of September)  
Thanksgiving Day (4th Thursday of November)  
Friday after Thanksgiving Day  
Christmas Day (December 25th)  
Primary Election Day and  
General Election Day in years of state and municipal elections**

**and all employees shall receive full pay for such days. Employees who are employed in functions which must necessarily be continued on holidays shall receive compensatory leave or overtime for work on holidays as determined by the competent authority of each office.**

PROPOSAL NO. 205, 1978. Mr. Durnil presented a summary of the proposal. Passage of this proposal would permit housing authority to build 334 single, double or quadruplex units throughout the county. A private developer would construct the units and then sell them to housing authority. The Metropolitan Development Committee sent the proposal to the Council without recommendation. During discussion, Mr. Schneider stated his opposition to scattered-site housing on the basis of its poor success record and the fact that the city would be surrendering part of its self government. Mrs. Chambers and Mr. Howard stated their support of the measure. Mr. Tintera clarified that "scattered" did not necessarily mean scattered to the suburbs. Mr. Durnil voiced his opposition to the proposal based on the fact that of 350 vacant public housing units, 300 were caused to be uninhabitable by the previous tenants. Mrs. Journey called Mr. Fred Thomas of Housing Authority to speak. He stated the success of projects such as this one in the southwest. After questioning from Council members, Mr. Thomas confirmed that Indianapolis would probably lose its 1979 Community Development funds if this proposal was defeated and that Council would not approve zoning of these sites. Mr. Clark stated that the Council had requested Section 8 money and was refused. He did not want the compromise. The motion was then made and seconded to call the question. The question was called by unanimous voice vote. Proposal No. 205, 1978, then failed for a lack of a majority on the following roll call vote; viz:

*14 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.*

14 NOES: *Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. McGrath, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart and Mr. Walters.*

[Clerk's Note: The Chair called a five minute recess at 8:45 p.m. to clear the Chambers. The Council reconvened at 9:00 p.m.]

### SPECIAL ORDERS – PUBLIC HEARING

Proposal No. 146, 1978. Mr. Tintera reported that the staff had confirmed that there would be sufficient funds for the assessors, and he then moved the adoption of this proposal which creates a fund to finance the pre-planning of third round economic development funds. Mr. Schneider, in order to decrease the shortage in the County General Fund, moved to amend Proposal No. 146, 1978, by deleting the figure "298,120" and inserting in lieu thereof the figure "150,000." Mr. Tintera stated he would support the amendment; however, the increase in assessed valuation would help the deficit in the County General Fund by \$200,000. Mr. Schneider's amendment was then adopted by voice vote. The Council recessed to a Committee of the Whole at 9:09 p.m. for public hearing, and reconvened at 9:10 p.m. Following public hearing, Proposal No. 146, 1978, As Amended, was adopted on the following roll call vote; viz:

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

NO NOES.

3 NOT VOTING: *Mrs. Chambers, Mr. Kimbell and Mr. McGrath.*

Proposal No. 146, 1978, As Amended, was retitled FISCAL ORDINANCE NO. 62, 1978, and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 62, 1978

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional one hundred fifty thousand dollars (\$150,000) in the County Building Construction Fund (hereby created) for purposes of the Mayor's County Building Improvement Agency and reallocating certain state revenue sharing fund and reducing the unappropriated and unencumbered balance in the County Building Construction 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 2.05 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of funding the Mayor's County Building Improvement Agency (herein created) by reallocation of state revenue sharing balances.

SECTION 2. The sum of one hundred fifty thousand dollars (\$150,000) 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:

Section 2.05 of the City-County Annual Budget for 1978 be stricken and the following substituted therefor:

Section 2.05. County Building Construction Fund Appropriations. For the calendar year 1978 there is hereby appropriated out of the "County Building Construction Fund" of the Consolidated City for the purposes herein stated in the following sums:

MAYOR'S COUNTY BUILDING IMPROVEMENT AGENCY	COUNTY BUILDING CONSTRUCTION FUND
21. Contractual Services	\$ 150,000
TOTAL INCREASES	\$ 150,000

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

Unappropriated and unencumbered	COUNTY BUILDING CONSTRUCTION FUND
County Building Construction Fund	\$ 150,000
TOTAL REDUCTIONS	\$ 150,000

SECTION 5. Subsection 2.07(a) of the City-County Annual Budget for 1978 be amended as follows:

The eighteen month revenue statement for the County General Fund be modified,

(i) Increase line 34, column 2 "Interest Investments" from \$1,605,000 to \$1,903,120

(ii) Delete line 54, "State Revenue Sharing \$298,120".

SECTION 6. Section 4.02 of the City-County Annual Budget for 1978 be amended by striking the words "County General Fund for expenses of current reassessment" and inserting in lieu thereof the words "to the County Building Construction Fund for expenses authorized by the Mayor for construction and repair of County Buildings."

SECTION 7. This Ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 183, 1978. For the County & Townships Committee, Mr. Schneider, reported that this proposal saves \$6,700 through the purchasing then sale of outdated equipment. Mr. Kelliher of Data Processing was available for questioning. The Council recessed to a Committee of the Whole at 9:11 p.m. for public hearing, and reconvened at 9:12 p.m. Following discussion, Proposal No. 183, 1978, was adopted on the following roll call vote; viz:

18 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

2 NOES: Mrs. Brinkman and Mr. Cantwell.

8 NOT VOTING: Mrs. Chambers, Mr. Durnil, Mr. Howard, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Rippel and Mr. Walters.

Proposal No. 183, 1978, was retitled FISCAL ORDINANCE NO. 63, 1978, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 63, 1978**

**A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional four hundred sixty thousand one hundred dollars (\$460,100) in the County General Fund for the purposes of Central Data Processing 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 2.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of providing for the rental of replacement equipment financed by proceeds of the sale of old equipment.

**SECTION 2.** The sum of four hundred sixty thousand one hundred dollars (\$460,100) 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:

CENTRAL DATA PROCESSING	COUNTY GENERAL FUND
24. Current Charges	\$ 460,100
TOTAL INCREASES	\$ 460,100

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

Unappropriated and unencumbered	COUNTY GENERAL FUND
County General Fund	\$ 460,100
TOTAL REDUCTIONS	\$ 460,100

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

PROPOSAL NO. 184, 1978. Mr. Schneider stated this proposal financed the assessors for the second six months of 1978. The Council recessed to a Committee of the Whole at 9:13 p.m. for public hearing, and reconvened at 9:14 p.m. Following discussion, Proposal No. 184, 1978, was adopted on the following roll call vote; viz:

19 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mrs. Journey, Mr. McGrath, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.

NO NOES.

9 NOT VOTING: Mrs. Chambers, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Miller, Mr. Rippel and Mr. Walters.

Proposal No. 184, 1978, was retitled FISCAL ORDINANCE NO. 64, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 64, 1978

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional two hundred four thousand three hundred fifty-two dollars (\$204,352) in the 1976 Reassessment Fund for purposes of various county departments and reducing the unappropriated and unencumbered balance in the 1976 Reassessment 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, The City-County Annual Budget for 1978, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing for the continuing of the 1976 property reassessment.

SECTION 2. The sum of two hundred four thousand three hundred fifty-two dollars (\$204,352) 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. For the calendar year 1978 the following additional appropriations out of the County 1976 Reassessment Fund are hereby approved:

CENTER TOWNSHIP ASSESSOR — Dept. 06

10.	Personal Services	\$ 59,690
21.	Contractual Services	910
22.	Supplies	250
	TOTAL	\$ 60,850

DECATUR TOWNSHIP ASSESSOR — Dept. 13

10.	Personal Services	\$ 7,500
21.	Contractual Services	450
22.	Supplies	100
	TOTAL	\$ 8,050

FRANKLIN TOWNSHIP ASSESSOR — Dept. 15

10.	Personal Services	\$ 4,000
	TOTAL	\$ 4,000

LAWRENCE TOWNSHIP ASSESSOR — Dept. 20

10.	Personal Services	\$ 12,150
21.	Contractual Services	650
22.	Supplies	100
24.	Current Charges	1,341
	TOTAL	\$ 14,241

PERRY TOWNSHIP ASSESSOR — Dept. 22

10.	Personal Services	\$ 11,500
21.	Contractual Services	250
	TOTAL	\$ 11,750

PIKE TOWNSHIP ASSESSOR — Dept. 23

10.	Personal Services	\$ 8,486
21.	Contractual Services	625
22.	Supplies	483
50.	Equipment	38
	TOTAL	\$ 9,632

WARREN TOWNSHIP ASSESSOR — Dept. 31

10.	Personal Services	\$ 28,800
21.	Contractual Services	1,372
22.	Supplies	371
24.	Current Charges	2,140
	TOTAL	\$ 32,683

WASHINGTON TOWNSHIP ASSESSOR — Dept. 32		
10.	Personal Services	\$ 28,530
21.	Contractual Services	3,495
22.	Supplies	<u>469</u>
	TOTAL	\$ 32,494

WAYNE TOWNSHIP ASSESSOR — Dept. 33		
10.	Personal Services	\$ 19,550
21.	Contractual Services	150
22.	Supplies	<u>50</u>
	TOTAL	\$ 19,750

AUDITOR — Dept. 02		
25.	Current Obligations (6.05%)	\$ 10,902
	TOTAL	\$ 10,902

TOTAL REASSESSMENT FUND — No. 13		
10.	Personal Services	\$ 180,206
21.	Contractual Services	7,902
22.	Supplies	1,823
24.	Current Charges	3,481
25.	Current Obligations	10,902
50.	Equipment	<u>38</u>
	TOTAL	\$ 204,352

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

		1976 REASSESSMENT FUND
Unappropriated and unencumbered		
	1976 Reassessment Fund	\$ 204,352
	TOTAL REDUCTION	<u>\$ 204,352</u>

SECTION 5. Section 2.02(f) of the 1978 Annual Budget is hereby amended to read as follows:

(f) REASSESSMENT PERSONNEL. The maximum number of personnel and the maximum salaries authorized from the Reassessment Fund are limited as set forth in the following schedules, provided that the total of all salaries paid for employees in any office shall not exceed the total appropriation as stated:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
(1) CENTER TOWNSHIP ASSESSOR			
Chief Real Estate & Liason Deputy	1	20,320	20,320
Real Estate Deputy	2	10,160	10,160
Clerks & Typists	10	6,350	63,500
Field Deputies	<u>2</u>	7,620	7,620
	15		

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 \$59,690.

(2) DECATUR TOWNSHIP ASSESSOR		
Temporary Salaries		7,500

The official responsible for hiring and fixing salaries for this office shall limit the number of personnel or the salaries or both so that total salaries paid shall not exceed the amount of the total personal services appropriation of \$7,500.

(3) FRANKLIN TOWNSHIP ASSESSOR

Temporary Help 4,000

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 \$4,000.

(4) LAWRENCE TOWNSHIP ASSESSOR

Liaison 1 10,700 10,700
Clerks 2 7,600 7,600
3

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 \$12,150.

(5) PERRY TOWNSHIP ASSESSOR

Temporary Salaries 11,500

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 \$11,500.

(6) PIKE TOWNSHIP ASSESSOR

Liaison Person 1 9,527 9,527
Record Clerk 1 7,445 7,445
2

The official responsible for hiring and fixing salaries for the 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 \$8,486.

(7) WARREN TOWNSHIP ASSESSOR

Liaison Person 1 10,000 10,000
Ass. Liaison Person 1 8,000 8,000
Clerk 6 7,800 39,600
8

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 \$28,800.

(8) WASHINGTON TOWNSHIP ASSESSOR

Reviewer 2 9,000 18,000
Clerks 6 6,960 41,760
8

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 \$28,530.

(9) WAYNE TOWNSHIP ASSESSOR

Liaison 1 12,300 12,300
Assessing Clerks 6 40,200 40,200
7

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 \$19,550.

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

PROPOSAL NO. 202, 1978. By consent, this proposal which appropriates \$35,291 for the Cooperative Extension Service was postponed until the meeting of June 5, 1978.

PROPOSAL NO. 206, 1978. Mr. West moved, seconded by Mr. Hawkins, to strike this proposal. The grant for the Municipal Court is not needed because last year two people were funded from the Indiana Criminal Justice Planning Agency Grant and only one was hired; therefore, the money from the other position is still available. The Council recessed to a Committee of the Whole at 9:16 p.m. for public hearing, and reconvened at 9:17 p.m. Proposal No. 206, 1978, was then stricken by unanimous voice vote.

### SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 201, 1978. From the Rules & Public Policy Committee, Mr. Tinder reported that this proposal corrects technical errors in the licensing of the outdoor theater ordinance. He then moved for its adoption. Proposal No. 201, 1978, was adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

4 NOT VOTING: Mr. Kimbell, Mr. McGrath, Mr. Miller and Mr. Schneider.

Proposal No. 201, 1978, was retitled GENERAL ORDINANCE NO. 69, 1978, and reads as follows:

#### CITY—COUNTY GENERAL ORDINANCE NO. 69, 1978

A GENERAL ORDINANCE amending Chapter 17, Article XXIV of the Code of Indianapolis and Marion County to make certain technical changes in the ordinance prohibiting the display of certain presentations in establishments the stage or screen of which is visible from any public street or highway.

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

SECTION 1. Chapter 17, Section 17-846 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

##### Sec. 17-846. Outdoor ~~Theatres~~ Theaters.

###### (a) Definitions

- (1) "Proprietor" means any owner or manager of any outdoor theater, or his agents or employees.
- (2) "Presentation" means any play, motion picture, or other exhibition, whether picture, animated film, or live, exhibited before one or more persons.
- (3) "Sexual conduct" means any act of masturbation, sexual intercourse, or physical contact with an individual's unclothed genitals, pubic area, buttocks, or, if such individual be a female, breast.
- (4) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.



**(b) Prohibition of Certain Presentations**

No proprietor ~~or~~ of an outdoor concert hall or theater shall cause or permit the displaying on the ~~stage~~ or screen of such concert hall or theater, any presentation, a part or all of which is visible from any public street or highway, which includes the following:

(1) an exhibition of the uncovered breasts of the human female or the uncovered genitals and/or pubic area of the human male or female, in a depiction or apparent depiction of sexual conduct or sexual excitement; or

(2) an exhibition of the uncovered breasts of the human female or the uncovered genitals and/or ~~public~~ public area of the human male or female the effect of which exhibition is to appeal to the prurient interest in sex of minors or adults.

(c) Non-compliance with the terms of this section will result in ~~revocation pursuant to Section 17-806~~ revocation pursuant to the terms of Section 17-49 of this Code.

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

PROPOSAL NO. 210, 1978. Mr. Tinder stated the Rules & Public Policy Committee recommended the adoption of this proposal as revised by the following amendment:

**CITY-COUNTY COUNCIL MOTION**

Mr. President:

I move to amend Proposal No. 210, 1978, in Section 1, line 8, by deleting the word "bi-weekly" and inserting the words "each payroll period" after the word "employee".

s/John G. Tinder

The motion to amend carried by unanimous voice vote. Proposal No. 210, 1978, As Amended, was then adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

1 NOT VOTING: Mr. Kimbell.

Proposal No. 210, 1978, As Amended, was retitled GENERAL ORDINANCE NO. 70, 1978, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 70, 1978**

A GENERAL ORDINANCE authorizing payroll deduction of voluntary contributions to certain political party committees. [ Adds Code Section 23-7 ] .

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

**SECTION 1.** Chapter 23 of the "Code of Indianapolis and Marion County," be, and is hereby, amended by adding a new Section 23-7, to read as follows:

**Sec. 23-7. Deductions for Political Contributions.**

Any employee of the city or county may assign a fixed amount or percentage of his gross compensation to the county committee of a political party established pursuant to IC 3-1-21 and operating under the General Election Laws of the State of Indiana (Indiana Code Title 3). The Auditor of Marion County with respect to county employees and the Controller of the City of Indianapolis with respect to city employees shall deduct the amount or percentage so specified by an employee from the compensation due such employee each payroll period. The deduction shall be entirely voluntary as to the employee, revocable at any time by the employee, and shall only be made after receipt by the appropriate official preparing the payroll of a signed authorization by the employee specifically stating the deduction to be made and the county committee to which such amount is assigned. The official deducting such amount shall pay the total accumulated deductions to the appropriate specified county committee at intervals of not less than 30 days.

**SECTION 2.** This ordinance shall be in full force and effect from and after June 1, 1978.

PROPOSAL NO. 203, 1978. Mr. Schneider stated this proposal was the semi-annual tax anticipation time warrant for the county. He then moved for its adoption. The proposal was adopted on the following roll call vote; viz:

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

NO NOES.

2 NOT VOTING: *Mr. Cantwell and Mr. Kimbell.*

Proposal No. 203, 1978, was retitled FISCAL ORDINANCE NO. 66, 1978, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 66, 1978**

A FISCAL ORDINANCE authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period July 1, 1978, to December 31, 1978, in anticipation of current taxes levied in the year 1977 and collectible in the year 1978, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon.

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

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

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

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

SECTION 2. That the maximum amount of said loan and the Tax Anticipation Warrants issued to evidence the same shall not exceed ten million dollars (\$10,000,000). Said Tax Anticipation Warrants shall be dated as of date of delivery thereof to the purchaser and shall bear interest at a rate or rates not exceeding the maximum rate provided by law, and shall mature and be payable on the 29th day of December, 1978, and the amount of ten million dollars (\$10,000,000) of the taxes now in process of collection for the County General Fund in the year 1978, together with such amount of said taxes as is necessary to pay the interest on said warrants, is hereby appropriated and pledged for the purpose of paying said tax anticipation warrants together with the interest thereon when due, deductions to be made from semi-annual settlement of said taxes in amounts hereinbefore indicated to the total amount of said warrants coming due on the date of such settlements, with accrued interest thereon.

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

STATE OF INDIANA, COUNTY OF MARION

NO. \_\_\_\_\_ \$ \_\_\_\_\_

MARION COUNTY GENERAL FUND TAX ANTICIPATION WARRANT

For value received the Board of Commissioners of the County of Marion, in the State of Indiana, promises to pay to the bearer from the Marion County General Fund the sum of \$ \_\_\_\_\_ dollars on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_, with interest thereon at the rate of \_\_\_\_\_ percent (\_\_\_\_%) per annum from the date hereof to the time of payment of the principal hereof, which interest is payable on the principal payment date hereof.

Both principal and interest of this warrant are payable in lawful money of the United State of America, at the Office of the Treasurer of Marion County, of the City of Indianapolis, Indiana. This warrant is one of an issue aggregating \_\_\_\_\_ dollars and is issued pursuant to and in accordance with City-County Fiscal Ordinance No. \_\_, duly adopted by the City-County Council on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_, and in strict conformity with an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning County Business," in force April 27, 1899, and the Acts of 1933, Chapter 171 of the Acts of 1969, and Public Law No. 134, 1972.

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

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

SEAL

\_\_\_\_\_  
\_\_\_\_\_  
COMMISSIONERS OF MARION COUNTY

ATTEST:

COUNTERSIGNED

\_\_\_\_\_  
MAYOR, CITY OF INDIANAPOLIS

\_\_\_\_\_  
AUDITOR OF MARION COUNTY

PROPOSAL NO. 204, 1978. Mr. Durnil reported that this proposal made the "Code of Indianapolis and Marion County," conform with state law relating to the demolition of unsafe buildings. Although the owner would be notified and consent requested, if consent was not given, an unsafe building could be demolished by order of the court. Following discussion, Proposal No. 204, 1978, was adopted on the following roll call vote; viz:

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

3 NOES: Mrs. Journey, Mr. Rippel and Mr. Schneider.

1 NOT VOTING: Mr. Kimbell.

Proposal No. 204, 1978, was retitled GENERAL ORDINANCE NO. 71, 1978, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 71, 1978**

A GENERAL ORDINANCE amending Chapter 8 of the Code of Indianapolis and Marion County concerning requirements for building permits.

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

SECTION 1. Sec. 8-32 of Chapter 8 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

Sec. 8-32. Building permits obtained by written application.

Application for a building permit shall be made to the division of buildings. The application shall be made in accordance with this section, unless each and every requirement of section 8-36 is met and the administrator decides to issue a building permit on the basis of that section.

(a) The application shall be in writing on a form prescribed by the division of buildings and shall be supported with:

(1) Two (2) copies of detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished pursuant to the building permit. In lieu thereof, it shall be within the discretion of the administrator of the division of buildings to accept two (2) copies of a written statement indicating the nature and location of the work to be done pursuant to the building permit where such written statement describes the work as precisely as a copy of detailed plans and specifications drawn to scale.

(2) Two (2) copies of a plat plan drawn to scale which reflect the location of the structure in relation to existing property lines and which show streets, curbs and sidewalks; provided, however, such plot plan shall not be required in the instance where all of the construction activity is to occur inside an existing structure.

(3) An improvement location permit, issued by the division of planning and zoning, department of metropolitan development, if required by the ordinance providing for the improvement location permit.

(4) Written approval from the Marion County Health and Hospital Corporation for any contemplated private water supply or private sewage disposal system.

(5) Written approval from the administrative building council, if required by Indiana law or any rule or standard of the administrative building council.

(6) A drainage permit issued by the department of public works, if required by the ordinance providing for a drainage permit.

(7) A connection permit, issued by the department of public works, if required by the ordinance requiring a permit for connection to a sewer.

In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure, such application shall be supported with a written statement from each utility that its service to the premises has been disconnected, and with either a written statement from the record titleholder of such premises ~~which authorized authorizing the demolition or removal or a court order or administrative order requiring the demolition or removal of the structure.~~

In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure which is in excess of seventy-five (75) feet in height, such application shall be supported by a certificate of insurance reflecting that the obtainer of the building permit has a public liability and property damage insurance policy naming the licensee and the Consolidated City of Indianapolis as the assured and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis in the minimum amounts of five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury to or death of one or more persons and two hundred fifty thousand dollars (\$250,000.00) for any occurrence relative to which there is property damage.

(b) Except as provided in section 8-100 or 8-101, a building permit shall be issued if:

(1) The application and supporting information required by this section have been properly prepared and submitted; and

(2) The application and supporting information filed in accordance with this section reflect compliance with building standards and procedures; and

(3) The fee has been paid in compliance with Article II, Division 6 of this chapter; and

(4) The person, partnership or corporation obtaining the building permit complies with the requirements of section 8-31; and

(5) The person applying for the building permit complies with the requirements of section 8-31.

(c) By making payment for the building permit, the applicant shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant shall within ten (10) days provide in writing to the division of building any additions or corrections to that information.

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

PROPOSAL NO. 207, 1978. Mr. Rippel explained that this proposal was a routine one for intersection controls. Following discussion, Proposal No. 207 1978, was adopted on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West.

NO NOES.

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

Proposal No. 207, 1978, was retitled GENERAL ORDINANCE NO. 72, 1978, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 72, 1978**

**A GENERAL ORDINANCE establishing intersection controls at certain intersections. [Amends Code Section 29-92].**

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

**PART I**

Chapter 29 of the "Code of Indianapolis and Marion County, Indiana", specifically "Sec. 29—92. Schedule of Intersection Controls," be, and the same is hereby amended by the deletion of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No 2, pg 1	Guion Rd & W 80th St	Guion Rd	Stop

**PART II**

Chapter 29 of the "Code of Indianapolis and Marion County, Indiana", specifically "Sec. 29—92. Schedule of Intersection Controls," be, and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No 2, pg 1	Guion Rd & W 80th St (E leg)	Guion Rd	Stop
No 2, pg 1	Guion Rd & W 80th St (W leg)	Guion Rd	Stop
No 2, pg 1	Rockridge Ct & Southgate Dr	Southgate Dr	Stop
No 2, pg 1	Rockridge E Dr & W 80th St	Rockridge E Dr	Stop
No 2, pg 1	Southgate Dr & Wheat Ridge Ct	Southgate Dr	Stop

**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.

PROPOSALS NOS. 233 - 243, 1978. At the request of Mr. Miller, consent was given to hear Proposal No. 233, 1978, in public hearing at the June 5, 1978, Council meeting. Proposals Nos. 234-243, 1978, were adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO: Mr. Howard.

NOT VOTING: Mr. Cantwell, Mr. Clark, Mrs. Coughenour, and Mr. Rippel.

Proposals Nos. 234-243, 1978, were retitled REZONING ORDINANCE NOS. 64-73, 1978, and read as follows:

**REZONING ORDINANCE NO. 64, 1978. 77-Z-207 (77-DP-6) WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1  
8620 SPRING MILL ROAD, INDIANAPOLIS**  
George M. Choban, Jr. by Philip A. Nicely, Attorney, 1100 First Federal Building requests rezoning of 6.00 acres, being in D-5 district, to D-P classification to permit residential use.

**REZONING ORDINANCE NO. 65, 1978. 78-Z-12 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 23  
1751 WALKER AVENUE, INDIANAPOLIS**  
Garfield Christian Church by Harry Mathis, Trustee, requests rezoning of 7.95 acres, being in D-4 district, to SU-1 classification to permit church use.

**REZONING ORDINANCE NO. 66, 1978. 78-Z-37 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 2  
9350 WHITLEY DRIVE, INDIANAPOLIS**  
Estate of Carrie L. Tyner and Mildred M. Max by Philip A. Nicely, Attorney, 1100 First Federal Bldg. request rezoning of 3.35 acres, being in C-1 and A-2 districts, to C-1 classification to permit office use.

**REZONING ORDINANCE NO. 67, 1978. 78-Z-43 LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 5  
7401 PENDLETON PIKE, INDIANAPOLIS**  
Mobile Oil Corporation by Fred T. Hill, 1248 Candlewood Drive, Worthington, Ohio, by Howard J. DeTrude, Jr., Attorney, Market Square Center No. 660 requests rezoning of 0.72 acre, being in D-5 district, to C-3 classification to permit a restaurant.

**REZONING ORDINANCE NO. 68, 1978. 78-Z-48 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
5103 PAPPAS DRIVE, INDIANAPOLIS**  
Carson City, Inc. by James C. Hilligoss, Vice President, 2500 Glick Street, Lafayette, Indiana, requests rezoning of 24.79 acres, being in D-6 II district, to D-4 classification to permit residential development by platting.

**REZONING ORDINANCE NO. 69, 1978. 78-Z-49 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1  
1901 COUNTRY CLUB ROAD, INDIANAPOLIS**  
Robert & Pauline Genung by William F. LeMond, Attorney, 600 Union Federal Building, request rezoning of 17.32 acres, being in a D-P district, to I-3-S classification to permit an industrial park.

REZONING ORDINANCE NO. 70, 1978. 78-Z-50 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
7632 SOUTHEASTERN AVENUE, INDIANAPOLIS  
Gary D. and Mary A. Davis, 7930 East Edgewood Avenue, request rezoning of 2.98 acres, being in A-2 district, to C-3 classification to permit a grocery store and commercial uses.

REZONING ORDINANCE NO. 71, 1978. 78-Z-51 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 2  
5697 MICHIGAN ROAD, INDIANAPOLIS  
Frank B., Fred, Mac, & John E. Fehsenfeld d/b/a Hoosier Asphalt and Chemical Company, P. O. Box 68123 by Halbert W. Kunz, Attorney, 320 North Meridian St. No. 528 request rezoning of 0.30 acre, being in D-2 district, to C-3 classification to permit a gasoline service station.

REZONING ORDINANCE NO. 72, 1978. 78-Z-52 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 12  
1201 NORTH POST ROAD, INDIANAPOLIS  
Baxter & Ryan Realty Company by Joseph H. Ryan, Paul K. and James Baxter by Dick Russell, Agent, 401 Union Federal Building request rezoning of 1.21 acres, being in D-3 district, to C-1 classification to permit neighborhood office use.

REZONING ORDINANCE NO. 73, 1978. 78-Z-55 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 3  
7644 AUDUBON ROAD, INDIANAPOLIS  
John B. Urbahns, 211 North Delaware St., requests rezoning of 4.40 acres, being in A-2 district, to D-1 classification to permit single family residential use by platting.

#### ANNOUNCEMENTS AND ADJOURNMENT

Mr. SerVaas reminded the Council members of the dinner provided by Cooperative Extension on June 5, 1978, at 6:00 p.m. Mr. Durnil announced the Metropolitan Development Committee meeting to be Wednesday, May 24, 1978, at 4:00 p.m. The Claypool Bond issue would be discussed.

There being no further business, by consent the meeting adjourned at 9:32 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis—Marion County held at its Regular Meeting on the 22nd day of May, 1978.

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

ATTEST:

President *Bert SerVaas*

*Dorothy S. Gentry*  
Clerk of the City-County Council

(SEAL)