

**CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, June 5, 1978**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:25 p.m., Monday, June 5, 1978, President SerVaas in the chair. Councilman Thomas Pearce 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. 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. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*
ABSENT: *Mr. Anderson and Mr. Kimbell.*

CORRECTION OF JOURNAL

The Chair called for additions or corrections to the Journal of May 8, 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, June 5, 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 17, 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 NEWS on May 22, 1978 and May 29, 1978, and in the Indianapolis COMMERCIAL on May 22, 1978 and May 30, 1978, a copy of CITY-COUNTY GENERAL ORDINANCE NO. 63, 1978.

Respectfully,

Beverly S. Rippy
City Clerk

May 23, 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 25, 1978 and June 1, 1978, a NOTICE TO TAXPAYERS on Proposals No. 217, 221, 223, 224, 225, and 230, 1978, and a NOTICE OF PUBLIC HEARING ON ZONING on Proposal No. 233, 1978, for a Public Hearing to be held on Monday, June 5, 1978 at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

May 24, 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:

FISCAL ORDINANCE NO. 62, 1978, amending the CITY-COUNTY ANNUAL BUDGET for 1978 and appropriating an additional one hundred fifty thousand dollars in the County Building Construction Fund (hereby created) for purposes of the Mayor's County Building Improvement Agency and reallocating certain state revenue sharing funds and reducing the unappropriated and unencumbered balance in the County Building Construction Fund.

GENERAL ORDINANCE NO. 69, 1978, amending Chapter 17, Article XXIV of the "Code of Indianapolis and Marion County" to make certain 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.

GENERAL ORDINANCE NO. 70, 1978, authorizing payroll deduction of voluntary contributions to certain political party committees.

GENERAL ORDINANCE NO. 71, 1978, amending Chapter 8 of the "Code of Indianapolis and Marion County" concerning requirements for building permits.

GENERAL ORDINANCE NO. 72, 1978, establishing intersection controls at certain intersections.

Respectfully submitted,

s/William H. Hudnut III
MAYOR

May 31, 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. Rippey, the following ordinance:

GENERAL ORDINANCE NO. 68, 1978, commemorating the birth date of Dr. Martin Luther King, Jr., by making said date a City holiday.

Respectfully submitted,

William H. Hudnut, III
MAYOR

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 250, 1978. Mr. Schneider introduced and read this proposal proclaiming Taipei, Taiwan and Indianapolis sister cities. The resolution would be presented to the trade mission from Taiwan on June 22. He then moved, seconded by Mr. Dowden, for its adoption. Proposal No. 250, 1978, was adopted by voice vote, retitled SPECIAL RESOLUTION NO. 8, 1978, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 1978

A SPECIAL RESOLUTION approving a sister city relationship between Taipei, Taiwan and Indianapolis, Indiana and extending an invitation to the Mayor of Taipei for his city to join with Indianapolis in this cooperative relationship.

WHEREAS, the people-to-people program initiated by President Eisenhower in 1956 and endorsed by President Kennedy in 1961 is designed to bring the people of the world closer together in the interest of peace; and,

WHEREAS, the town affiliation program commonly referred to as the sister city program is a vital part of the people-to-people program and is endorsed and supported by various international organizations; and,

WHEREAS, strong commercial and cultural ties now exist between the citizens of Indianapolis and the citizens of Taipei; and,

WHEREAS, a sister city relationship between Taipei, the capitol city of Free China, and Indianapolis is in the best interest of a cooperative relationship between the two cities involved; now, therefore:

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

SECTION 1. The Mayor William H. Hudnut, III, and the City-County Council of the City of Indianapolis extend through this resolution a formal invitation to Mayor Teng-hui Lee and the people of Taipei, Taiwan, to join with Indianapolis as sister city and as such to conduct such mutually beneficial programs as to bring our citizens closer together and strengthen international amity.

[Clerk's Note: At this time, Councilwoman Paula Chambers announced her hosting of a luncheon for the delegates visiting the United States from Liberia, Sudan, Nigeria, Kenya and Tanzania, to which all Council members were invited. The luncheon is to be held Tuesday, June 13, at 12:00 noon at the Northwest Room of LaTour Restaurant.]

INTRODUCTION OF GUESTS

Councilwoman Brinkman introduced State Senators Paul Swisher and Larry Borst, and State Representatives Steve Stoughton, John Donaldson, and Steve Moberly. Councilman Vollmer introduced Mr. Ben Mordecai from the Indianapolis Repertory Theater.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 245, 1978. Introduced by Mr. Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending City-County Fiscal Ordinance No. 70, 1977 to adjust the salaries and number of personnel authorized for the Marion County Surveyor and the Lawrence Township Assessor;" and the President referred it to the County and Townships Committee.

PROPOSAL NO. 246, 1978. Introduced by Mr. Schneider. 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 dollars (\$5,000) in the County General Fund for purposes of Circuit Court and reducing certain other appropriations for Criminal Court Divisions III and IV.

PROPOSAL NO. 247, 1978. Introduced by Mr. Schneider. 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 one thousand five hundred one dollars (\$1,501) in the Marion County Crime Control Fund for purposes of Circuit Court and reducing the unappropriated and unencumbered balance in the Crime Control Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 248, 1978. Introduced by Mrs. Coughenour. 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) transferring and appropriating an additional thirty-six thousand eight hundred eighty-three dollars (\$36,883) in the City Market Fund for the purposes of the City Market Division and reducing certain other appropriations for the City Market Division;" and the President referred it to the Public Works Committee.

MODIFICATIONS OF SPECIAL ORDERS

PROPOSAL NO. 205, 1978. Since there were approximately 100 people from the south side concerned about Proposal No. 205, 1978, Mrs. Coughenour moved, seconded by Mr. Howard, to advance this proposal on the agenda. Consent was given.

[Clerk's Note: At the request of Mr. Tintera, the Chair consented to a five minute recess at 7:41 p.m. The Council reconvened at 7:50 p.m.]

Following the recess, Mr. Schneider moved, seconded by Mrs. Coughenour, to strike Proposal No. 205, 1978. Mr. West then moved, seconded by Mrs. Journey, to return the proposal to the Metropolitan Development Committee. Mr. West explained that there was still confusion concerning this proposal for scattered-site housing and that the City would lose \$11-\$13 million in federal funds if it were not passed. In answer to Mrs. Brinkman, Mr. Durnil stated that the requirements for the housing were the same for handicapped persons. Mr. Schneider spoke opposing the proposal because the citizens of Indianapolis do not want it, and if passed, he felt the City would be knuckling under to the federal government. Mr. Clark commented that he believed that no new information would be uncovered. In support of the motion to return the proposal to committee, Mr. Tintera wanted to know HUD's alternatives if the Council strikes the proposal.

Mr. Gilmer moved, seconded by Mr. Tintera, the previous question. The motion carried by unanimous voice vote. Proposal No. 205, 1978, was then returned to committee on the following roll call vote; viz:

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

PROPOSAL NO. 222, 1978. Mrs. Chambers explained that there were state representatives in the chambers to hear Proposal No. 222, 1978. She then moved, seconded by Mr. Vollmer, to modify the orders of business to hear Proposal No. 222, 1978. The motion carried on the following roll call vote; viz:

16 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Vollmer and Mr. West.

10 NOES: Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. McGrath, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. Tinder and Mr. Tintera.

1 NOT VOTING: Mr. Walters.

[Clerk's Note: At 8:25 p.m., the Chair called a three minute recess to clear the chambers. The Council reconvened at 8:31 p.m.]

Mrs. Chambers confirmed that all concerned parties had been notified that this proposal would be heard at the Council meeting. In response to Mr. West's question as to whether the bus tax would be an additional tax or offset in property tax, Mr. Vollmer responded by reading Special Resolution No. 9, 1977. The Chair then called, State Representative Donaldson, District 33, Chairman of the Cities and Towns Committee. Representative Donaldson acknowledged the problem of Metro but stated that an employment tax for people who would not use the transportation system would create friction between Marion County and the surrounding counties. He committed himself to attacking the problem during the next General Assembly. Senator Borst would sponsor a bill to solve the immediate problem of Metro. Following discussion during which Mrs. Chambers stated her encouragement by the presence of the senators and representatives that positive action would be taken concerning Metro, she moved, seconded by Mr. Vollmer, to return the proposal to committee until the first meeting in December. The motion carried by unanimous voice vote.

PROPOSAL NO. 245, 1978. Mr. Tintera moved, seconded by Mr. Schneider, to advance Proposal No. 245, 1978, on the agenda. The motion carried by unanimous voice vote. Mr. Tintera, reporting for the Acting Committee Chairman, Mr. Anderson, stated that this proposal was a transfer of funds for the realignment of salaries for the County Surveyor and the Lawrence Township Assessor. Following discussion, the proposal was adopted on the following roll call vote; viz:

20 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

7 NOT VOTING: Mr. Bayt, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mr. Dowden, Mr. Howard, and Mr. Miller.

Proposal No. 245, 1978, was retitled FISCAL ORDINANCE NO. 65, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 65, 1978

A FISCAL ORDINANCE amending City-County Fiscal Ordinance No. 70, 1977 to adjust the salaries and number of personnel authorized for the Marion County Surveyor and the Lawrence Township Assessor.

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

SECTION 1. Section 2.03 of City-County Fiscal Ordinance No. 70, 1977, be, and is hereby, amended by inserting the words and figures underlined and deleting the words and figures crosshatched, so as to read as follows:

Section 2.02(b)(8). County Surveyor. The maximum salaries of the elected and appointed officers and employees of the County Surveyor, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

(8) COUNTY SURVEYOR

<u>Personnel Classification</u>	<u>Maximum Number</u>	<u>Maximum Salary</u>	<u>Maximum Per Classification</u>
Deputies	2	14,204 <u>15,550</u>	28,569 <u>30,496</u>
Administrative Asst.	1	9,471 <u>9,571</u>	9,471 <u>9,571</u>
Party Chiefs	2	10,805 <u>12,135</u>	21,610 <u>24,270</u>
Design Supr. Graduate Surveyor	1 <u>0</u> <u>1</u>	9,598 <u>16,000</u>	9,598 <u>16,000</u>
Instrumentmen	2	8,596 <u>9,665</u>	17,192 <u>18,862</u>
Rodman/Chainman	5 <u>4</u>	7,828 <u>8,230</u>	39,140 <u>23,794</u>
Draftsmen	3	7,160 <u>8,719</u>	21,481 <u>24,068</u>
	<u>16</u> <u>15</u>		

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 \$147,016.

SECTION 2. Section 2.02 of City-County Fiscal Ordinance No. 70, 1977, be and is hereby, amended by inserting the words and figures underlined and deleting the words and figures crosshatched, so as to read as follows:

Section 2.02(e)(4). Lawrence Township Assessor. The maximum salaries of the elected and appointed officers and employees of the Lawrence Assessor, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

(4) LAWRENCE TOWNSHIP ASSESSOR

<u>Personnel Classification</u>	<u>Maximum Number</u>	<u>Maximum Salary</u>	<u>Maximum Per Classification</u>
Deputies	5	10,915	42,137
Clerk	1	8,270 6,270	8,000 6,270
Temporary Help	<u>6</u>		<u>10,000</u>

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 \$57,291.

SECTION 3. This ordinance shall be in full force and effect from and after adoption and compliance with IC 18-4-5-2.

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 102, 1978. Mr. West reported that the Sheriff's Department was not ready to report concerning the use of funds provided by Second Presbyterian Church. By consent, this proposal was postponed until the meeting of July 31.

PROPOSAL NO. 145, 1978. Mr. West reported that this proposal, funded by an EDA grant, funded the renovation of the juvenile center and its parking lot. Notice had currently been received that the Washington office approved of the programs. He then moved the following amendment:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 145, 1978, as follows:

In Section 3, delete line 3 in its entirety and in line 4, delete the figure "56,136.50" and insert in lieu thereof "60,000.00".

s/Stephen West

The motion carried by unanimous voice vote. Mr. Rippel then moved to amend Proposal No. 145, 1978, in Section 4 by funding the program through the County General Fund and deleting the Transportation Fund funding. The motion carried by unanimous voice vote.

[Clerk's Note: At this time the Council moved on to other agenda items in order to secure information that this proposal would be funded by the federal government. For continuity, the continuance of the action on Proposal No. 145, 1978, will be inserted here.]

At Mr. Rippel's request, Financial Analyst, Stuart Rhodes, read part of a letter from Mr. Frank E. Sauer, Federal Grants Coordinator, confirming that this proposal would be financed by the federal government. The Council recessed to a committee of the whole at 9:32 p.m. for public hearing and reconvened at 9:33 p.m.

Following further discussion, Proposal No. 145, 1978, As Amended, was adopted on the following roll call vote; viz:

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

NO NOES.

4 NOT VOTING: Mr. Cantwell, Mrs. Chambers, Mr. Gilmer and Mr. Miller.

Proposal No. 145, 1978, As Amended, was retitled FISCAL ORDINANCE NO. 67, 1978, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 67, 1978

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional sixty thousand dollars (\$60,000) in the Marion County General Fund for purposes of EDA Project 06-51-26534 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 the Juvenile Court and Center.

SECTION 2. The sum of sixty thousand dollars (\$60,000) 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:

	JUVENILE COURT	COUNTY GENERAL FUND
50.	Properties	\$ 60,000
	TOTAL INCREASES	<u>\$ 60,000</u>

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

	COUNTY GENERAL FUND
Unappropriated and unencumbered	
County General Fund	\$ 60,000
TOTAL REDUCTIONS	<u>\$ 60,000</u>

SECTION 5. 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, Proposal No. 202, 1978, was postponed until the meeting of July 31.

PROPOSAL NO. 217, 1978. Mr. Miller reported that this proposal provided funding for an alcohol and drug abuse program to be operated through the personnel department. A pilot program was operated in DOT last year and was

successful. The Council recessed to a Committee of the Whole at 9:30 p.m. for public hearing, and reconvened at 9:31 p.m. Following discussion during which Mrs. Coughenour, Mr. Howard and Mr. Durnil stated their opposition to the program, Proposal No. 217, 1978, was defeated on the following roll call vote; viz:

7 AYES: Mrs. Brinkman, Mr. Dowden, Mr. Miller, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.

17 NOES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mrs. Stewart and Mr. Walters.

3 NOT VOTING: Mr. Cantwell, Mrs. Chambers and Mr. Vollmer.

PROPOSAL NO. 187, 1978. As reported by Mr. West, Chairman of the Public Safety & Criminal Justice Committee, this proposal funds the residential treatment home for women offenders. The program is overseen by Judge Wilson. The Council recessed to a Committee of the Whole at 9:40 p.m. for public hearing, and reconvened at 9:41 p.m. Following discussion, Proposal No. 187, 1978, was adopted on the following roll call vote; viz:

20 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

2 NOES: Mr. Dowden and Mr. Rippel.

5 NOT VOTING: Mr. Cantwell, Mr. Durnil, Mr. McGrath, Mr. Miller and Mr. Schneider.

Proposal No. 187, 1978, was retitled FISCAL ORDINANCE NO. 68, 1978, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 1978

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1978 (City-County Fiscal Ordinance No. 70, 1977) and appropriating an additional thirty-four thousand six hundred fifty dollars (\$34,650) in the Crime Control Fund for purposes of Criminal Court IV and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purpose of contracting the services of the Episcopal Community Services in managing a residential facility for women offenders.

SECTION 2. The sum of thirty-four thousand six hundred fifty dollars (\$34,650) 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:

CRIMINAL COURT IV	CRIME CONTROL FUND
32. Contractual	\$ 34,650
TOTAL INCREASES	\$ 34,650

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

	CRIME CONTROL FUND
Unappropriated and unencumbered	
Crime Control Fund	\$ 34,650
TOTAL REDUCTIONS	\$ 34,650

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

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

PROPOSAL NO. 221, 1978. By consent, Proposal No. 21, 1978, was postponed until the meeting of July 17.

PROPOSAL NO. 223, 1978. Mr. West reported that this proposal realigns CETA salaries in the Sheriff's office so that they are comparable with regular positions. The Council recessed to a Committee of the Whole at 9:43 p.m. for public hearing, and reconvened at 9:45 p.m. Following public hearing, Proposal No. 223, 1978, was adopted on the following roll call vote; viz:

23 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Rippeel, 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. Clark, Mr. Hawkins and Mr. Miller.

Proposal No. 223, 1978, was retitled FISCAL ORDINANCE NO. 69, 1978, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 69, 1978

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 (\$48,626.98) 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.

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

SECTION 1. Section 2.02 (b)(6) of City-County Fiscal Ordinance No. 70, 1977, be, and is hereby amended by deleting line 14 and inserting in lieu thereof the following:

<u>Personnel Classification</u>	<u>Maximum Number</u>	<u>Maximum Salary</u>	<u>Maximum Per Classification</u>
C.E.T.A.			
Clerk-Typist	15	6,614.92	99,223.80
Micro Filmer	6	6,614.92	39,689.52
Garage Attendant	6	7,756.06	46,536.36
Maintenance Worker	10	6,614.92	66,149.20

SECTION 2. To provide for expenditures the necessity of 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 employing person to be paid from CETA monies.

SECTION 3. The sum of forty-eight thousand six hundred twenty-six dollars and ninety-eight cents (\$48,626.98) be, and the same is hereby, appropriated for the purposes as shown in Section 1, such purposes having also been provided for in part by other prior ordinances, by reducing the unappropriated balances as shown in Section 5.

SECTION 4. The following additional appropriations are hereby approved:

COUNTY SHERIFF	COUNTY GENERAL FUND
10. Services Personal	\$ 45,852.88
COUNTY AUDITOR	
25. Current Obligations	<u>2,774.10</u>
TOTAL INCREASES	\$ 48,626.98

SECTION 5. The said appropriations are funded by the following:

Unappropriated and unencumbered	
County General Fund	\$ 48,626.98
TOTAL REDUCTIONS	\$ 48,626.98

SECTION 6. The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

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

PROPOSAL NOS. 224 and 225, 1978. By consent, these proposals were postponed until the meeting of July 17.

PROPOSAL NO. 230, 1978. Mr. Rippel, Chairman of the Transportation Committee, reported that due to the severity of last winter additional funds had been appropriated from state highway taxes for resurfacing and chuckhole repair. The Council recessed to a Committee of the Whole at 9:47 p.m. for public hearing, and reconvened at 9:48 p.m. Following a brief discussion, Proposal No. 230, 1978, was adopted on the following roll call vote; viz:

23 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr.

McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, 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. Clark, Mr. Durnil and Mr. Hawkins.

Proposal No. 230, 1978, was retitled FISCAL ORDINANCE NO. 70, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 70, 1978

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 General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1978, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of additional projects financed from special distribution of motor vehicle funds from the State of Indiana.

SECTION 2. The sum of three million three hundred sixteen thousand eight hundred dollars (\$3,316,800) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF TRANSPORTATION		TRANSPORTATION GENERAL FUND
21.	Contractual Services	\$ 1,666,800
22.	Supplies	400,000
23.	Materials	100,000
50	Properties	<u>1,150,000</u>
TOTAL INCREASES		\$ 3,316,800

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

UNAPPROPRIATED AND UNENCUMBERED		TRANSPORTATION GENERAL FUND
Transportation General Fund		\$ 3,316,800
TOTAL REDUCTIONS		<u>\$ 3,316,800</u>

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

PROPOSAL NO. 233, 1978. Mr. Miller, the Councilman who requested the public hearing, announced that the matter had been resolved. Proposal No. 233, 1978, was therefore adopted on the following roll call vote; viz:

23 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

4 NOT VOTING: Mr. Cantwell, Mr. Hawkins, Mr. Pearce and Mr. Tinder.

Proposal No. 233, 1978, was retitled REZONING ORDINANCE NO. 74, 1978, and reads as follows:

**REZONING ORDINANCE NO. 74, 1978. 77-Z-195 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

7633 SOUTH MERIDIAN STREET, INDIANAPOLIS

William S. Gray by Michael J. Kias, Attorney, 3045 South Meridian Street requests rezoning of 0.78 acre, being in A-2 district, to C-3 classification to permit commercial use.

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 220, 1978. Mr. Durnil reported on this proposal which approves the \$4.5 million Claypool Bond. The Indianapolis Reperatory Theater is going to move into the new office building. From the construction of the Center 466 construction jobs would be created and after completion, the new facility would generate 616 permanent jobs. Mr. Archie Kuoppola, Department of Metropolitan Development, stated that 88% of the 5,309 signatures on petitions were accepted by the Auditor's office. Proposal No. 220, 1978, was then adopted on the following roll call vote; viz:

26 AYES: *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. Patterson, 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. Cantwell.*

Proposal No. 220, 1978, was retitled SPECIAL RESOLUTION NO. 9, 1978, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 9, 1978

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.

WHEREAS, the Metropolitan Development Comission of Marion County, Indiana, proposes to issue bonds of the Indianapolis Redevelopment District in an amount not exceeding \$4,500,000 for the purpose of providing funds to be applied to payment of the cost of acquisition of real estate and interests in 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 (known as the "Claypool Center Project"), including any and all site clearing and construction work, installation and construction of an elevated pedestrian walkway across Washington Street and in and through the above described area, together with other improvements necessary to carry out the replanning and redevelopment of the Claypool Center Project,

and all incidental expenses of every kind incurred in connection therewith and on account of the issuance of bonds therefor; and

WHEREAS, the provisions of IC 18-4-5-3 require approval by resolution of the City-County Council for the issuance of bonds of special taxing districts of the Consolidated City, including the Indianapolis Redevelopment District; and

WHEREAS, the City-County Council has been informed concerning the Claypool Center Project and as to the uses and purposes to which the proceeds of the bond issuance will be applied; and

WHEREAS, the City-County Council now finds that the issuance of said bonds in said amount and for said purposes is in the public interest and should be approved; now, therefore:

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

SECTION 1. The proposed issuance of the 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 for the Claypool Center Project to be applied to payment of the cost of acquisition of real estate and interests in real estate in, and the replanning and redevelopment of, the blighted and deteriorated area bounded by Court Street on the North, Illinois Street on the East, Washington Street on the South and Capitol Avenue on the West (Lots 4, 5, 6, 7, 8 and 9 in Square 54 of the Donation Lands of the City of Indianapolis, Indiana), being the site of the Indiana Theatre and the former Claypool Hotel and the property immediately west of the Theatre, including any and all site clearing and construction work, installation and construction of an elevated pedestrian walkway across Washington Street and in and through the above described area, together with other improvements necessary to carry out the replanning and redevelopment of the Claypool Center Project, and all incidental expenses of every kind incurred in connection therewith and on account of the issuance of bonds therefor, be, and, is hereby, approved.

SECTION 2. This resolution shall be in full force and effect from and after its passage and approval by the Mayor.

PROPOSAL NO. 244, 1978. Mr. Tintera presented the County & Townships Committee report stating that this proposal provided for a transfer within Judge Mercer Mance's budget in order to finance a commissioner which is needed because of the Judge's declining health. He then moved, seconded by Mr. Howard, the adoption of this proposal. Proposal No. 244, 1978, was adopted on the following roll call vote; viz:

25 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, 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 Mrs. Chambers.

Proposal No. 244, 1978, was retitled FISCAL ORDINANCE NO. 71, 1978, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 71, 1978

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 Marion County General Fund for purposes of Superior Court VI and reducing certain other appropriations for Superior Court VI.

**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 reorganizing the budget of Superior Court VI without the need for appropriating monies not available elsewhere in the budget of this court.

SECTION 2. The sum of five thousand seven hundred eighty dollars (\$5,780) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

	SUPERIOR COURT VI	COUNTY GENERAL FUND
10. Personal Services		\$ 5,780
TOTAL INCREASES		\$ 5,780

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

	SUPERIOR COURT VI	COUNTY GENERAL FUND
21. Contractual Services		\$ 1,100
22. Supplies		900
24. Current Charges		2,280
50. Properties		1,500
TOTAL REDUCTIONS		\$ 5,780

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

PROPOSAL NO. 62, 1978. Mr. Rippel reported that the Transportation Committee recommended unanimously the passage of this proposal with the following amendment:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 62, 1978, by deleting Proposal No. 62, 1978, as introduced, and substituting therefor, Proposal No. 62, 1978, Committee Recommendations.

Richard Rippel

The motion carried by unanimous voice vote. Proposal No. 62, 1978, As Amended, was then adopted on the following roll call vote; viz:

23 AYES: Mr. Bayt, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

4 NOT VOTING: Mr. Boyd, Mr. Cantwell, Mrs. Chambers and Mr. Miller.

Proposal No. 62, 1978, As Amended, was retitled GENERAL ORDINANCE NO. 73, 1978, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 73, 1978

A GENERAL ORDINANCE amending several sections of Chapter 29 and repealing Sec. 31-11 of the "Code of Indianapolis and Marion County" to change language to reflect responsibilities already transferred to the Transportation Board.

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, Indiana", specifically Chapter 29, Section 29—134 Applicability of state laws; amendments by the City-County Council, be and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words "Board of Public Safety" in the seventh line.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29—135, Authority of Board of Public Safety, be and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words, "Board of Public Safety" in: (a) the title of the Section, (b) the first line; and, (c) the sixth line.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29—137, School Zones, be and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words, "Board of Public Safety" in the first line of sub-section "(f)".

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29—148. Authority to place turn markers "Obedience thereto", be and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words, "Board of Public Safety" in the first line of sub-section "(a)".

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29—149. Authority to place restricted turn signs, be, and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words, "Board of Public Safety" in the first line of the section.

SECTION 6. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29—165. Authority to designate, be, and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words, "Board of Public Safety" in the third line of the section.

SECTION 7. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29—168. Establishment of reversible flow lanes, observance, be, and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words, "Board of Public Safety" in the fourth line of the section.

SECTION 8. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29—195. Authority to erect stop and yield signs, be and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words, "Board of Public Safety" in the fourth line of this section.

SECTION 9. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29—196. Intersections where stop or yield signs are required, be, and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation", for the words, "Board of Public Safety" in the first line of this section.

SECTION 10. The "Code of Indianapolis and Marion County," specifically Chapter 29, Section 29-249, is hereby amended by deleting the words ~~crosshatched~~ and inserting the words underlined so as to read as follows:

Sec. 29-249. Authority of board directors of public safety and transportation to modify this article in an emergency.

Whenever any provision of this Code or other ordinance of the city shall designate and specify that it shall be unlawful for the owner, driver or operator of any vehicle to park or stop such vehicle, or to permit the vehicle to be parked or to stand upon any designated and specific streets or portions of streets within designated or specified times, the board of public safety directors of the departments of public safety and transportation, deeming an emergency to exist, shall declare the emergency and by order of the board, shall jointly modify, change and amend the specified hours and times to which the restriction of the provision of this Code or other ordinance shall apply; and the board shall cause signs giving notice of the hours and times designated and specified by such order of the board to be placed and maintained upon and along such streets and portions of streets by the department of transportation. No such regulation or order shall be effective unless such signs are in place upon and along the streets and/or portions of streets so specified and designated.

SECTION 11. The "Code of Indianapolis and Marion County," specifically Chapter 29, Section 29-257, is hereby amended by deleting the words crosshatched and inserting the words underlined so as to read as follows:

Sec. 29-257. Permit for loading and unloading merchandise with vehicle perpendicular to curb.

(a) In places where and at time when, the stopping of vehicles for the loading or unloading of merchandise or materials is permitted by this Code, vehicles used for the transportation thereof may back into the curb to load or unload such merchandise or materials when an annual permit therefor has been issued to the owner of such vehicle by the Board of public safety transportation board, which permit may contain such reasonable special terms and conditions as the board may deem necessary for the safety and convenience of traffic.

(b) The board of public safety transportation board shall have the authority to designate an officer of the police department of the city as its deputy for the purpose of issuing issue to owners of trucks or vehicles subject to subsection (a) an annual permit allowing the owners of such vehicles the privilege of loading and unloading merchandise and materials while the vehicle is backed against the curb if, in the opinion of the officer board, the privilege is reasonably necessary to the conduct of the business of the owner, and shall state in the permit such reasonable special terms and conditions of its exercise as such officer may deem necessary for the safety and convenience of traffic. If traffic is unduly interfered with by the position of such vehicle operating under a permit, any police officer may order it to be moved or placed in a different position.

(c) It shall be unlawful for the owner or operator of any vehicle for which a permit is required by this section to back the vehicle against the curb for the loading or unloading of merchandise or materials, unless the permit therefor has been issued, or in violation of any special terms or conditions thereof.

(d) A permit issued under this section shall be either in the possession of the operator of the vehicle for which it is issued, or affixed to such vehicle, at the time any such vehicle is backed against the curb for the purpose of loading or unloading.

SECTION 12. The "Code of Indianapolis and Marion County," specifically Chapter 29, Section 29-301. Parking meter removal for permanent commercial improvement purposes, be, and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation" for the words, "Board of Public Safety" in the second line of subparagraph (b) of item (3).

SECTION 13. The "Code of Indianapolis and Marion County," specifically Chapter 29 Section 29-302. Removal of parking meters by order of Board of Public Safety, be, and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation" for the words, "Board of Public Safety" in: (a) the title of this section; and, (b) the third line of this section.

SECTION 14. The "Code of Indianapolis and Marion County," specifically Chapter 29, Section 29-303. Temporary blockouts of parking meters, by order of the Board of Public Safety, be, and the same is hereby amended by the following, to wit:

Substitute the words, "Board of Transportation" for the words, "Board of Public Safety" in the first and second lines of sub-paragraph "(a)", and in the fourth and fifth lines of sub-paragraph "(a)".

SECTION 15. The "Code of Indianapolis and Marion County," specifically Chapter 29, Section 29-293, is hereby amended by deleting the words crosshatched and inserting the words underlined so as to read as follows:

Sec. 29-293. Duty of driver upon entering parking meter space.

When any vehicle is parked in any parking space adjacent to a parking meter at or during any of the times provided in this division, when the time limits for parking in the respective parking meter zones are in effect, the driver or operator of the vehicle, or someone for him, upon entering such parking space shall immediately deposit in the parking meter one or more ~~five-cent coins or one or more one-cent~~ coins of the United States for the period desired for parking, but not to exceed the time limit at such place, and shall do such other things as the directions for the operation of the parking meter may require. The parking space may then be used by such vehicle for the period of time paid for, but not exceeding the maximum limit of time designated therefor on the face of the meter, or otherwise, and the using of such parking space by that vehicle or any other vehicle, after the expiration of the time limit without again depositing the required coin therein shall be a violation of this division.

SECTION 16. The "Code of Indianapolis and Marion County," be, and is hereby amended, by repealing Section 31-11.

SECTION 17. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 208, 1978. Mr. Rippel presented the Transportation Committee report stating that this proposal transferred the responsibility of awarding passenger and loading zone permits from the Department of Public Safety to the Department of Transportation. He then moved the following amendment:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 208, 1978, as follows:

In Section 1, subsection (a), line 14, delete the period and insert the words "subject to the final approval of the City-County Council."

In Section 1, subsection (d), line 92, delete the period and insert the words "subject to the final approval of the City-County Council."

In Section 1, subsection (c), lines 59 and 60 delete the words and/or figures "twenty-five dollars (\$25.00)" and insert in lieu thereof the words and figures "sixty-five dollars (\$65.00)".

s/Richard Rippel

The motion carried by unanimous voice vote. Proposal No. 208, 1978, As Amended, was then adopted on the following roll call vote; viz:

24 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, 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. Brinkman, Mr. Cantwell, and Mrs. Chambers.

Proposal No. 208, 1978, As Amended, was retitled GENERAL ORDINANCE NO. 74, 1978, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 1978

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County to make changes in the manner of awarding passenger and loading zone permits.

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

SECTION 1. Subsections (a) - (f) of Section 29-331 of Chapter 29, Code of Indianapolis and Marion County are hereby amended by deleting the words crosshatched and inserting the words underlined so as to read as follows:

~~(a) For the purposes of providing the owner or occupant of any premises fronting upon any street in the city with delivery and loading facilities, including reasonable ingress and egress to and from such premises for passengers and freight and other materials, the city-county council, upon the recommendation of the board of public safety, and upon the request in writing of the owner or occupant of such premises, may determine, designate and grant, by ordinance, locations for passenger and loading zones for such purposes, whereupon permits shall be issued therefor, all in strict accordance with the provisions of this section.~~

For the purposes of providing the owner or occupant of any premises fronting upon any street in the city with delivery and loading facilities, including reasonable ingress and egress to and from such premises for either passengers or freight or other materials, and upon the presentation of a written application of the owner or occupant of such premises, the transportation board, upon recommendation by the chief traffic engineer and after a public hearing may determine, designate and grant, by resolution, locations for either passenger or material loading zones for such purposes, whereupon permits shall be issued therefor; all in strict accordance with the provisions of this section subject to the final approval of the City-County Council.

~~(b) Whenever the owner or occupant of any premises having a frontage on any street or highway in the city shall present to the board of public safety a written application for a permit required by subsection (a) to establish and maintain a passenger and loading zone to serve such premises, the application shall set forth the name of the applicant, the nature of his business, the location and length of the requested zone and a brief statement of the reasons for its establishment. Such application shall be accompanied by a sketch showing the location of the entrances and exits serving such premises, and the location and length of such zone, together with the payment to the board of the sum of five dollars (\$5.00) for an investigation fee, which shall be deposited with the city controller and shall not be subject to refund. The board shall cause an investigation to be made by a police officer designated by the board, who shall promptly investigate the necessity of the establishment of such passenger and loading zone. The officer shall report his finding in writing to the board, which shall thereupon transmit to the city-county council the written request, together with the written report of the officer and the recommendation of the board upon the establishment of such zone. Thereupon the city-county council, after a public hearing and in its discretion, shall grant or reject the application, and if granted, the establishment of the zone shall be authorized by ordinance conforming in all respects to the requirement of this Code.~~

Whenever the owner or occupant of any premises having a frontage on any street in the city shall present to the permit section of the department of transportation a written application for a permit required by subsection (a) to establish and maintain a passenger or material loading zone to serve such premises, the application shall set forth the name of the applicant, the nature of his business, the location and length of the requested zone and a brief statement of the reasons for its establishment. Such application shall be accompanied by a site plan showing the location of the entrances and exits serving such premises, and the location and length of such zone, together with the payment of an investigation fee of five dollars (\$5.00), which fee shall not be subject to refund. The transportation board shall cause an investigation to be made by the permit section, who

shall promptly investigate the necessity of the establishment of such passenger or material loading zones. The permit section shall report its finding in writing to the chief traffic engineer, who shall thereupon transmit to the director of the department of transportation the written application, together with the written report of the investigation and the recommendation for the establishment of such zone. Thereupon the transportation board, after a public hearing and in its discretion, shall grant or reject the application, and if granted, the establishment of the zone shall be authorized by resolution conforming in all respects to the requirements of this Code. The maximum length of any zone shall be fifty (50) feet, unless the transportation board shall find that public convenience and welfare justifies a greater length, not exceeding an additional fifty (50) feet.

(c) Upon approval of the establishment of a zone as provided in subsection (b), the board of public safety shall cause the applicant and the city controller to be notified of the action of the city-county council thereon. The board shall furnish and cause markers to be located and maintained at each end of the zone as authorized by the city-county council, and shall cause the zone to be otherwise marked and designated as the board may determine. All such markers shall be of metal or other durable material, and shall be of uniform general design throughout the city, provided, however, the board shall not place such markers or cause the zone to be marked and designated until the person requesting its establishment shall present to the board a permit issued to him by the city controller and the latter's receipt showing that he has paid the sum of five dollars (\$5.00) per foot, or other amount then due, for the first year's rental of the markers and zone. The maximum length of any zone shall be fifty (50) feet, unless the board shall find that public convenience and welfare, in any instance, justifies a greater length, not exceeding an additional fifty (50) feet, and the city-county council approves it.

Upon approval of the establishment of a zone as provided in subsection (b), the transportation board shall cause the applicant to be notified of the action of the transportation board thereon and the amount due for the first years rental of the signs and zones in order for a permit to be issued by the permit section of the department of transportation. The first years rental fee shall be ten dollars (\$10.00) per foot of the zone, and a sixty-five dollar (\$65.00) installation cost. Thereafter, the annual rental fee shall be ten dollars (\$10.00) per foot of the zone. The department of transportation shall furnish and cause signs to be located and maintained at each end of the zone and mark the zone by distinctive paintings on the curb as authorized by the transportation board. The signs shall be of uniform general design throughout the city and in compliance with the criteria as described in the Indiana Manual On Uniform Traffic Control devices. The department of transportation shall not issue the permit or place such signs, or cause the zone to be marked and designated, until the person requesting its establishment shall have presented to the permit section of the department of transportation payment of the first years rental fee and installation cost.

(d) The annual rental for the markers and the zone collected pursuant to subsection (c) shall be used to defray the expenses of furnishing and erecting such markers, for keeping them in repair and painted, and for properly marking, designating and inspecting the passenger and loading zones. The rentals so paid shall be kept by the city controller in a separate fund for such purposes. Any balance remaining in the fund, and not required to be held to pay any authorized expense then incurred and unpaid, shall revert to the general fund at the end of any year. The annual rentals shall be due and payable by the tenth day of each January, provided however, the first years rental for any zone so established prior to September first shall be the full amount of the annual rental for the markers and zone, as required by this section, and shall cover the period from the establishment of such zone to the thirty-first day of December next following; one-half of the annual rental shall be paid for any zone established on or after the first day of September. The markers shall be and remain the property of the city and shall be removed or caused to be removed by the board of public safety. The use of any such zone shall be terminated, either upon failure of the owner or occupant of the premises to pay the annual rental on or before the first day of March of each year for the markers and zone, or upon an order of the board abolishing any such zone, in its discretion. All permits subject to this section shall be issued upon such conditions.

The annual rental for the markers and zone collected pursuant to subsection (c) shall be used to defray the expenses of furnishing and erecting such signs, for keeping them in repair and painted, and for properly marking, designating and inspecting the passenger and material loading zones. The fees so paid shall be deposited in the accounts of the City of Indianapolis. The permit shall be issued for a period of one year. The holder of the permit may renew the permit for another year by notifying the permit section of the department of transportation no less than thirty (30) calendar days in advance of the expiration date of the permit and presenting to the permit section of the department of transportation for payment of the amount of rental fee within thirty (30) calendar days after the expiration date of the permit. The signs shall be, and remain, the property of the city and shall be removed, or caused to be removed, upon the approval of the transportation board on the recommendation of the chief traffic engineer. The use of such zones shall be terminated, either upon failure of the owner or occupant of the premises to pay the annual rental within thirty (30) days of the expiration date of the permit for the signs and zones, or upon an order of the transportation board abolishing any such zone in its discretion. All permits subject to this section shall be issued upon such conditions subject to the final approval of the City-County Council.

(e) ~~No passenger zone~~ or loading zone shall be established or maintained within twenty-five (25) feet of a street intersection or fire hydrant; and no such zone shall be established which will conflict with any safety zone, bus zone or taxicab stand previously established.

(f) ~~All passenger zones and loading zones established and all permits therefor which are in effect at the time of the taking effect of this Code shall be continued in full force and effect, but such zones and all subsequently permitted zones shall be at all times subject to all police powers of the city thereover and no one shall possess any vested rights to continue any such zone, if it is ordered abolished by the board. Any permit may be revoked by the mayor, upon the recommendation of the board, in the manner that licenses are revoked, but until revoked, all such permits issued shall remain in effect. The city controller shall maintain a list of all such zones which shall be available for public inspection at all times.~~

All passenger zones and material loading zones established and all permits therefor which are in effect at the time this amendment to the Code becomes effective shall be continued in full force and effect; but such zones and all subsequently permitted zones shall be at all times subject to all police powers of the city thereover and no one shall possess any vested rights to continue any passenger or material loading zone, if it is ordered abolished by the transportation board. The permit section of the department of transportation shall maintain a list of all such zones which shall be available for public inspection at all times.

SECTION 2. Subsection (g) of Section 29-331 of Chapter 29, Code of Indianapolis and Marion County, is hereby repealed.

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

PROPOSAL NO. 228, 1978. Mr. Rippel stated that this proposal was the routine capital improvements program for 1978. It is not significantly different from 1977. Following discussion, Proposal No. 228, 1978, was adopted on the following roll call vote; viz:

24 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, 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. Brinkman, Mr. Cantwell and Mrs. Chambers.

Proposal No. 228, 1978, was retitled GENERAL RESOLUTION NO. 3, 1978, and reads as follows:

CITY—COUNTY GENERAL RESOLUTION NO. 3, 1978

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.

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

SECTION 1. The actions of the Transportation Board of the City of Indianapolis with respect to certain capital improvements as set forth in its "Declaratory Resolution of the Transportation Board of the City of Indianapolis Concerning Capital Improvements for Calendar Year 1978" adopted December 9, 1977, and in its "Confirmatory Resolution of the Transportation Board of the City of Indianapolis" dated January 18, 1978, a copy of which is attached hereto, marked Exhibit A in five pages and incorporated herein by reference, is hereby approved with the addition of the two amendments attached hereto and marked Exhibit B.

SECTION 2. The Transportation Board and Department of Transportation and its Director are authorized to proceed in accordance with law and the terms of said resolution as hereby modified.

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

PROPOSAL NO. 231, 1978. The Transportation Committee recommended the passage of this proposal raising the speed limit on Girls School Road. Following a brief discussion, Proposal No. 231, 1978, was adopted on the following roll call vote; viz:

23 AYES: *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. McGrath, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

NO NOES.

4 NOT VOTING: *Mrs. Brinkman, Mr. Cantwell, Mr. Pearce and Mr. Schneider.*

Proposal No. 231, 1978, was retitled GENERAL ORDINANCE NO. 75, 1978, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 75, 1978

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] .

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. 29-136. Alteration of prima facie speed limits," be, and the same is hereby amended by the addition of the following, to wit:

Girls School Road from Washington Street
to Crawfordsville Road, 40 m.p.h.

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. 232, 1978. Mr. Rippel reported that this proposal regulated the types of materials that could be transported on the inner loop of the interstate. He then moved the following amendment:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 232, 1978, as follows:

In Sec. 29-433, line 7, after the words "Flammable solid," add the words "DANGEROUS WHEN WET (label only)."

In Sec. 29-434, line 6, after the period, add the following sentence: "Any language change of this ordinance shall be subject to the approval of the City-County Council."

In Sec. 29-436, line 9, change the first "would" to "shall".

s/Richard Rippel

The motion carried by unanimous voice vote. Discussion ensued during which Mr. Durnil stated he believed the regulation of vehicles is the duty of the federal government. In response to a question by Mr. Vollmer, Robert Elrod, General Counsel, said that concerning such vehicle regulation the federal government acquiesces to the state and local governments. Mr. Tom Williams, representative of the Indiana Motor Truck Association, stated the Association felt the regulation was unnecessary because the percentage of accidents is very low in the trucking industry. Such regulations will cause inconvenience in segregating cargo and rerouting trucks. Mr. Tintera then moved, seconded by Mrs. Chambers, the previous question. The motion carried by unanimous voice vote. Proposal No. 232, 1978, As Amended, was then adopted on the following roll call vote; viz:

17 AYES: Mr. Boyd, Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Walters and Mr. West.

10 NOES: Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Schneider and Mr. Vollmer.

Proposal No. 232, 1978, As Amended, was retitled GENERAL ORDINANCE NO. 76, 1978, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 76, 1978

A GENERAL ORDINANCE restricting transportation of hazardous materials. [Adds Article VIII to Chapter 29 of the Code] .

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

SECTION 1. Chapter 29 of the "Code of Indianapolis and Marion County," be, and is hereby amended to add a new article to read as follows:

ARTICLE VIII: HAZARDOUS CARGOS

Sec. 29-431. Certain routes prescribed for hazardous cargos.

Unless there is no practicable alternative, a vehicle which requires placarding pursuant to Section 29-433 of this article, must be operated over routes which do not go through or near heavily populated areas, places where crowds are assembled, tunnels, narrow streets or alleys. Additionally, such vehicles shall not be operated on Interstate 65 or on Interstate 70 with the area encircled by Interstate 465.

Sec. 29-432. Operation and parking restricted.

Every motor vehicle which requires placarding pursuant to this ordinance must be driven and parked in compliance with the laws, ordinances and regulations of the City of Indianapolis, unless they are at variance with specific regulations of the U. S. Department of Transportation which are applicable to the operation of that vehicle and which impose a more stringent obligation or restraint.

Sec. 29-433. Vehicle requiring placarding defined.

The term "vehicle requiring placarding" shall mean vehicles carrying materials classified in Table 1 of Title 49, Code of Federal Regulations, Subpart F 172.504; specifically, materials classed as:

Class A explosives

Class B explosives

Poison A

Flammable solid "DANGEROUS WHEN WET" (label only)

Radioactive materials (requiring either a RADIOACTIVE placard or placarded as RADIOACTIVE AND CORROSIVE.)

Sec. 29-434. Transportation Board may expand list.

The Transportation Board of the City of Indianapolis may, at its discretion, add to those listed in section 29-433 any materials they deem advisable. Application shall be made pursuant to procedures set forth by the Transportation Board, the matter shall be set for public hearing at a regularly scheduled meeting of the Transportation Board. Any addition to this list shall be by majority vote of members of the Transportation Board in attendance of the meeting at which the matter is heard. Any language change of this ordinance shall be subject to the approval of the City-County Council.

Sec. 29-435. Intracity operations.

The rules of this ordinance do not apply to a driver or vehicle wholly engaged in intracity operations. "Intracity operations" shall mean the pickup, delivery, loading or any other form of transportation of a procluded material which takes place entirely within Marion County.

Sec. 29-436. Local pickups and deliveries.

It is further provided that in the case of local deliveries or pickups to individual local manufacturers, producers, distributors or industrial users from this ordinance and such local deliveries and pickups shall be permitted so long as deliveries or pickups are not inconsistent with any other provision of this ordinance. In the event that a vehicle containing material requiring the vehicle to be placarded is to make a delivery or pickup to any local manufacturer, producer, distributor or industrial user, such vehicle shall be permitted to proceed on any restricted highway under this ordinance existing in the City, including any interstate system in existence within the encircled

area by Interstate 465. However, if the origin or local destination of such material is on or outside Interstate 465, such vehicles shall have to use Interstate 465 and would be prohibited from the excluded routes.

Sec. 29-437. Article supplementary.

This article is in addition to any other existing Federal or State laws of regulation regulating the transport of hazardous materials as adopted by any department or agency thereof.

Sec. 29-438.

Any person, carrier or vehicle who violates the terms of this article shall be issued a citation to appear in a court of competent jurisdiction in this County, and may be fined in an amount not to exceed one thousand dollars (\$1,000).

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

PROPOSAL NO. 219, 1978. Mr. Tintera, Chairman of the Economic Development Committee, reported that this bond issuance would be for the Combs-Gates Indianapolis, Inc. Project. Combs-Gates is planning to construct a fuel storage system and pipeline at the Indianapolis International Airport. Councilman Cantwell voiced his objection to the bond issuance because no tax revenue would be generated by the improvements. Mr. SerVaas stated his support of the lessor-lessee system now being used at the airport. Following further discussion, Proposal No. 219, 1978, was adopted on the following roll call vote; viz:

23 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, 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, Mrs. Coughenour, Mr. Hawkins and Mr. Rippel.

Proposal No. 219, 1978, was retitled SPECIAL ORDINANCE NO. 4, 1978, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1978

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.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Combs-Gates Indianapolis, Inc., and the Metropolitan Development Commission of Marion County has been given an opportunity to comment thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conduct on May 25, 1978, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities of Combs-Gates Indianapolis, Inc. complies with the purposes and provisions of Indiana Code 18-6-4.5 and that such financing will be of benefit to the health and welfare to the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of Loan Agreement, Guaranty Agreement and Mortgage and Indenture of Trust (such documents being hereafter referred to collectively as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) by Resolution adopted prior in time on 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 Loan Agreement, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Combs—Gates Indianapolis, Inc., for the purpose of financing the leasehold economic development facilities under construction or to be constructed in Indianapolis, Indiana and the repayment of said loan by Combs—Gates Indianapolis, Inc., to be evidenced and secured by a promissory note of Combs—Gates Indianapolis, Inc., will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 18-6-4.5.

SECTION 2. The forms of the Loan Agreement, Mortgage and Indenture of Trust, and Guaranty Agreement approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 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 First Mortgage Revenue Bonds (Combs—Gates Indianapolis, Inc. Project) in the total principal amount of one million dollars (\$1,000,000) for the purpose of procuring funds to loan to Combs—Gates Indianapolis, Inc. in order to finance the leasehold economic development facilities, as more particularly set out in the Indenture of Trust, Loan Agreement, and Guaranty Agreement, incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Combs—Gates Indianapolis, Inc. on its promissory note in the aggregate principal amount of one million dollars (\$1,000,000) which will be executed and delivered by the Company to evidence and secure said loan, from payments made by Combs—Gates Denver, Inc., a Colorado corporation, pursuant to the Guaranty Agreement, and from other sources under the Loan Agreement, or as otherwise provided in the above described Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller is authorized and directed to sell such Bonds to Merchants National Bank & Trust Company of Indianapolis at a rate of interest on the Bonds not to exceed 8% per annum and at a price of 100% of the principal amount thereof.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction, including the Bonds authorized herein. The signatures of the Mayor and City Clerk on the Bonds and coupons may be facsimile signatures. The City Clerk or City Controller is authorized to arrange for the delivery of such Bonds to the purchasers thereof, payment for which will be made to the Trustee named in the Indenture of Trust.

SECTION 6. The provisions of the Ordinance and the Indenture of Trust securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds (Combs—Gates Indianapolis, 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 right of such holder so long as any of said Bonds or the interest thereon remain unpaid.

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

PROPOSAL NO. 214, 1978. Mr. Miller reported that this proposal was the routine, semi-annual tax anticipation borrowing ordinance, the umbrella ordinance for all districts. Following a brief discussion, Mr. Miller moved, seconded by Mr. Gilmer, the adoption of the proposal. Proposal No. 214, 1978, was then adopted on the following roll call vote; viz:

18 AYES: Mr. Boyd, Mrs. Chambers, Mr. Dowden, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, and Mr. West.

NO NOES.

9 NOT VOTING: Mr. Bayt, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Schneider and Mr. Walters.

Proposal No. 214, 1978, was retitled FISCAL ORDINANCE NO. 72, 1978, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 72, 1978

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; pledging and appropriating the taxes to be received in said Funds to the payment of said tax anticipation time warrants including the interest thereon: ratifying, approving, and confirming the proceedings had and action taken by the Police Special Service District Council, the Fire Special Service District Council, and the Sanitation Solid Waste District Council in authorizing the making the temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated Fire Force Account, the Firemen's Pension Fund, and the Sanitary Solid Waste General Fund; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Park District Fund to meet the current expenses of the Department of Parks and Recreation payable from said Fund prior to the December, 1978, distribution of taxes levied for said Fund; and

WHEREAS, the December, 1978 distribution of taxes to be collected for said Park District Fund will amount to more than two million one hundred fifty thousand dollars (\$2,150,000) and the interest cost of making a temporary loan for said Park District Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Consolidated County Fund to meet the current expenses of the Consolidated County Fund, payable from said Fund prior to the December, 1978 distribution of taxes levied for said Fund; and

WHEREAS, the December, 1978 distribution of taxes to be collected for said Consolidated County Fund will amount to more than one million three hundred fifty thousand dollars (\$1,350,000) and the interest cost of making a temporary loan for said Consolidated County Fund; and

WHEREAS, the Special Service District Council of the Police Special Service District has authorized the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loan for the Consolidated City Police Force Account in the amount of six million three hundred thousand dollars (\$6,300,000) payable from the December, 1978 distribution of taxes levied for said account and the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Police Pension Fund in the amount of one million fifty thousand dollars (\$1,050,000) payable from the December, 1978 distribution of taxes levied for said Fund; and

WHEREAS, the Special Service District Council of the Fire Special Service District has authorized the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Fire Force Account in the amount of four million two hundred thousand dollars (\$4,200,000) payable from the December, 1978 distribution of taxes levied for said account and the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Firemen's Pension Fund in the amount of one million dollars (\$1,000,000) payable from the December, 1978 distribution of taxes levied for said Fund; and

WHEREAS, the Special Service District Council of the Solid Waste Special Service District has authorized the making of temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Sanitary Solid Waste General Fund in the amount of two million dollars (\$2,000,000) payable from the December, 1978 distribution of taxes levied for said Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said Fund and Accounts in anticipation of current revenues for said Funds and accounts actually levied and in course of collection for the year 1978; now, therefore:

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

SECTION 1. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Park District Fund of said City in the amount of two million one hundred fifty thousand dollars (\$2,150,000) in anticipation of current tax revenues actually levied and in course of collection for, said Fund for the year 1978, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed the maximum rate provided by law, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 4. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1978. Said warrants, including interest shall be payable from the Park District Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Park District Fund from the December, 1978 distribution of taxes for said Park District Fund in two million one hundred fifty thousand dollars (\$2,150,000) to the Park District Fund, 1978 Budget Pseudo Code No. 000927 — Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Park District Fund, 1978 Budget Fund No. 092, Character 25 — Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 2. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated County Fund of said City in the amount of one million three hundred fifty thousand dollars (\$1,350,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1978, which loan shall be evidenced by tax anticipation time

warrants bearing interest at a rate or rates per annum not to exceed the maximum rate provided by law, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 4. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1978. Said warrants, including interest shall be payable from the Consolidated County Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated County Fund from the December, 1978 distribution of taxes for said Consolidated County Fund is one million three hundred fifty thousand dollars (\$1,350,000) to the Consolidated County Fund, 1978 Budget Pseudo Code No.

— Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Consolidated County Fund 1978 Budget Fund No. 027, Character 25 — Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 3. Said tax anticipation time warrants shall be executed in the name of the City of Indianapolis by the Mayor of said City, countersigned by the Controller of said City, the corporate seal of said City to be affixed thereto and attested by the Clerk of the Council. Said warrants shall be payable at the office of the Marion County Treasurer, ex officio Treasurer of the City of Indianapolis.

SECTION 4. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal and Interest \$ _____

CITY OF INDIANAPOLIS, INDIANA TAX ANTICIPATION TIME WARRANT

On the ____ day of _____, 19__, the City of Indianapolis, in Marion County, Indiana, promises to pay to the bearer, at the office of the Marion County Treasurer, ex officio Treasurer of the City of Indianapolis, the sum of _____ including interest on the principal amount of this warrant from the date hereof to maturity, payable out of and from taxes levied in the year of 19__, and payable in the year 19__, which said taxes are now in course of collection for the _____ of the City of Indianapolis, with which to pay general, current, operating expenses of the _____

This Tax Anticipation Time Warrant is one of a series of warrants aggregating a sum of _____ exclusive of interest added thereto to the maturity, evidencing a temporary loan in anticipation of taxes levied and in course of collection for the _____ of said City.

Said temporary loan was authorized by ordinance duly adopted by the _____ at meetings thereof duly and legally convened and held on the ____ day of _____, 19__, for the purpose of providing funds for the _____ of said City of Indianapolis, in compliance with the Indiana Code of 1971, Title 1 and particularly Article 1, Chapter 4 thereof.

The consideration of said warrant is a loan made to the City of Indianapolis in anticipation of taxes levied for the _____ of said City for the year 19__, payable in the year 19__, and said taxes so levied are hereby specifically appropriated and pledged to the payment of said Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to the authorization, preparation, complete execution and delivery of said warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused this warrant to be signed in its corporate name by its Mayor, and countersigned by the Controller of the City of Indianapolis; the corporate seal of said City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this ____ day of _____, 19__.

CITY OF INDIANAPOLIS

By: _____
Mayor, City of Indianapolis
WILLIAM H. HUDNUT, III

COUNTERSIGNED:

By: _____
Controller, City of Indianapolis
FRED L. ARMSTRONG

(SEAL)

ATTEST:

By: _____
Clerk, City of Indianapolis
BEVERLY S. RIPPY

SECTION 5. The Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner and substantially the form hereinbefore provided, the Controller shall sell said warrants at public sale. Prior to the sale of said warrants, the Controller shall cause to be published a notice of sale once each week for two consecutive weeks in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, as provided by law. All bids for said warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for said warrants, or portion thereof bid for. Said warrants, or portion thereof bid for, shall be awarded to the bidder or bidders therefore submitting the lowest interest rate or rates. In the event two bidders submit the same interest rate for all or a portion of the warrants, such warrants shall be awarded to the bidder submitting the greatest premium. Any premium bid shall be used solely for the repayment of the principal of and interest on the warrants. No bid for less than par shall be considered, and the Controller shall have the right to reject any and all bids. The proper officers of the City are authorized to deliver the time warrants to the purchaser or purchasers of the agreed purchase price. The warrants may all be delivered at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to said delivery by and between the Controller and the purchaser of the warrants.

SECTION 6. The proceedings had and action taken by the Board of Public Works of the City of Indianapolis in authorizing the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund for two million dollars (\$2,000,000) payable from the December, 1978 distribution of taxes levied for said funds, are hereby ratified, approved, and confirmed and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County Council, and are incorporated herein by reference.

SECTION 7. The proceedings had and action taken by the Special Service District Council of the Police Special Service District in authorizing the making of temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Consolidated City Police Force Account in the amount of six million

three hundred thousand dollars (\$6,300,000) payable from the December, 1978 distribution of taxes levied for said Account and the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Police Pension Fund in the amount of one million fifty thousand dollars (\$1,050,000) payable from the December, 1978 distribution of taxes levied for said Fund, are hereby ratified, approved, and confirmed, and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County Council, and are incorporated herein by reference.

SECTION 8. The proceedings had and action taken by the Special Service District Council of the Fire Special Service District in authorizing the making of temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Consolidated City Fire Force Account, in the amount of four million two hundred thousand dollars (\$4,200,000) payable from the December, 1978 distribution of taxes levied for said Account and the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Firemen's Pension Fund in the amount of one million dollars (\$1,000,000) payable from the December, 1978 distribution of taxes levied for said Fund are hereby ratified, approved, and confirmed and to the extent as may be required by law, shall be deemed to the proceedings had and action taken by this City-County Council, and are incorporated herein by reference.

SECTION 9. The proceedings had and action taken by the Special Service District Council of the Solid Waste Special Service District in authorizing the making of temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund, in the amount of two million dollars (\$2,000,000) payable from the December, 1978 distribution of taxes levied for said Fund, are hereby ratified, approved, and confirmed and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County Council, and are incorporated herein by reference.

SECTION 10. This Ordinance shall be in full force and effect from and after its adoption and compliance with all laws pertaining thereto.

PROPOSAL NO. 215, 1978. The Administration Committee report was given by Mr. Miller, who informed the Council that this proposal revised the Code so that it conformed with the procedures in the Controller's office concerning second-hand dealers. After motion duly made and seconded, Proposal No. 215, 1978, was adopted on the following roll call vote; viz:

22 AYES: Mr. Boyd, Mr. Campbell, Mrs. Chambers, 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.

5 NOT VOTING: Mr. Bayt, Mrs. Brinkman, Mr. Cantwell, Mr. Clark, and Mr. Patterson.

Proposal No. 215, 1978, was retitled GENERAL ORDINANCE NO. 77, 1978, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 77, 1978

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County," thereby revising Chapter 17 thereof, with respect to the licensing of dealers of second-hand goods.

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

SECTION 1. Chapter 17, Article XIV, Section 17-454 of the "Code of Indianapolis and Marion County, Indiana, 1975," be and the same is hereby by adding the underlined words to read as follows:

ARTICLE XIV. DEALERS IN SECOND—HAND GOODS

Sec. 17-454. License required.

It shall be unlawful for any person to engage in the business of buying, selling or in any way dealing with used goods of any kind without first obtaining a second-hand dealer's license therefor from the controller. Provided that, this Article shall not apply to retailers who primarily sell unused goods who in the course of selling such unused goods occasionally receive used goods as partial consideration for the sale of such unused goods, and dispose of the same by sale or otherwise.

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

PROPOSAL NO. 227, 1978. Mrs. Coughenour reported from Public Works that this proposal made technical revisions in the sewer connectors and industrial discharge ordinance. Following committee report, Proposal No. 227, 1978, was adopted on the following roll call vote; viz:

20 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

7 NOT VOTING: Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Rippel, Mr. Schneider, and Mr. Tintera.

Proposal No. 227, 1978, was retitled GENERAL ORDINANCE NO. 78, 1978, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 78, 1978

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.

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

SECTION 1. Chapter 27 of the "Code of Indianapolis and Marion County," be, and is hereby amended by repealing sections 27-22 through 27-35 (inclusive) and section 27-51 through 27-59 (inclusive).

SECTION 2. Chapter 27 of the "Code of Indianapolis and Marion County" (as amended, by General Ordinance No. 44, 1978) is hereby amended by renumbering sections as follows:

- (a) Sec. 27-6 shall be Sec. 27-4
- (b) Sec. 27-9 shall be Sec. 27-5
- (c) Sec. 27-10 shall be Sec. 27-6
- (d) Sec. 27-13 shall be Sec. 27-7

- (e) Sec. 27-11 shall be Sec. 27-8
- (f) Sec. 27-15 shall be Sec. 27-9
- (g) Sec. 27-12 shall be Sec. 27-22
- (h) Sec. 27-4 shall be Sec. 27-41
- (i) Sec. 27-5 shall be Sec. 27-42
- (j) Sec. 27-7 shall be Sec. 27-43
- (k) Sec. 27-8 shall be Sec. 27-44

SECTION 3. Chapter 27 of the "Code of Indianapolis and Marion County," be, and is hereby amended by striking the existing title "Article III. Use of Public Sewers" and inserting a new title "Article III. Industrial Discharge Permits" prior to section 22-41.

SECTION 4. Chapter 27 of the "Code of Indianapolis and Marion County," be, and is hereby amended as follows:

(a) In section 27-10 (renumbered herein as Sec. 27-6), in the first line strike the words "this ordinance or" and "27 of this Code";

(b) In subsection (f) of Sec. 27-12 (herein renumbered as 27-22) strike the words "subsection (h)";

(c) In section 27-9 (herein renumbered as 27-5) strike the words "ordinance, or" and "27 of the Indianapolis Code";

(d) In section 27-15 (herein renumbered as 27-9), strike the word "Ordinance" and substitute in lieu thereof the word "Chapter".

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

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas announced the resignation of Councilman Rippel in order to become Deputy Director of the Department of Transportation. The official letter of resignation reads as follows:

June 5, 1978

**Mr. Thomas O'Brien, Secretary
Marion County Election Board
W122 City-County Building
Indianapolis, INd. 46204**

Dear Mr. O'Brien:

Please accept this letter as notice of my resignation as the elected representative of the 15th Councilmanic District of the City of Indianapolis effective at the conclusion of the City-County Council meeting June 5.

Sincerely,

Richard Rippel

**cc: John Sweezy
Beurt SerVaas**

President SerVaas also announced the following conferences which the Council members might want to attend:

Indiana Association of Cities and Towns, September 19-21, Evansville

National League of Cities, November 26-29, St. Louis.

Regional Convention, National League of Cities, July 6-8, Indianapolis.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:15 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 5th day of June, 1978.

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

ATTEST:

President *Beaut Sewas*

Joseph S. Gentry
Clerk of the City-County Council

(SEAL)