

**CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, April 23, 1979**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:08 p.m., Monday, April 23, 1979, President SerVaas in the chair. Councilwoman Joyce Brinkman opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

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

CORRECTION OF JOURNAL

The Chair called for additions or corrections to the Journal of April 9, 1979. There being no additions or corrections, the minutes were approved as distributed.

OFFICIAL COMMUNICATIONS

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

**TO THE MEMBERS OF THE CITY—COUNTY COUNCIL OF
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, April 23, 1979, at 7:00 p.m., the purpose of such **MEETING** being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

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

April 2, 1979

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis COMMERCIAL and the Indianapolis NEWS on April 5, 1979 and on April 12, 1979, a copy of CITY-COUNTY GENERAL ORDINANCE NO. 32, 1979.

s/Beverly S. Rippy
City Clerk

April 10, 1979

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on April 12, 1979 and April 19, 1979 a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 144, 146, 147, 149, 150, 154, and 161, 1979 to be held on Monday, April 23, 1979 at 7:00 p.m. in the City-County Building.

Respectfully,

Beverly S. Rippy
City Clerk

April 11, 1979

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 35, 1979, amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 and appropriating an additional two million one hundred thirty-five thousand two hundred sixty-seven dollars and twenty-two cents in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

Respectfully submitted,

s/William H. Hudnut, III
MAYOR

PRESENTATION OF PETITIONS, MEMORIALS,
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 190, 1979. Mr. West introduced and read this proposal directing the County Attorney to enjoin the Superior Court from mandating the Auditor to compensate public defenders at a certain rate which is not in align with the 1979 Budget passed by the City-County Council. The judges did not follow proper protocol in adjusting salaries, and Mr. SerVaas suggested that the judges should be given an opportunity to present an explanation before the Council. Following discussion, Proposal No. 190, 1979, was adopted on a voice vote. At the request of Mr. Howard, a roll call vote was taken, which sustained the voice vote; viz:

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

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

Proposal No. 190, 1979, was retitled SPECIAL RESOLUTION NO. 15, 1979, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 15, 1979

WHEREAS, the County Auditor was today notified through his payroll clerk of an order designating public defender services and setting compensation therefor; and

WHEREAS, the compensation level stated in this order was raised 54% from \$6,200 to \$9,600 for undesignated minimum amounts of legal services; and

WHEREAS, the President of the United States has sought wage restraint not exceeding 7% per annum by all members of the public and private sectors so that the severe inflation of the last several years may be retarded; and

WHEREAS, the 1979 budget was adopted by the City-County Council in September, 1978, without subsequent discussion and/or complaint about the levels of compensation of the public defender attorneys; now, therefore:

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

SECTION 1. The City-County Council authorizes and directs the County Attorney to take immediate legal action to enjoin the Superior Court from placing these changes and orders into effect until considered fully by the Council.

INTRODUCTION OF PROPOSALS

PROPOSAL NOS. 164-176, 1979. Introduced by Mr. Durnil. The Clerk read the proposals entitled: "Proposals for rezoning ordinances certified from the Metropolitan Plan Commission on April 12, 1979;" and the President referred it to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 177, 1979. Introduced by Miss Parker. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional four hundred thousand dollars (\$400,000) in the County Welfare Fund for purposes of defraying indigent medical care costs pursuant to the County Hospital Commitment Act, Indiana Code 12-5-1, and reducing the unappropriated and unencumbered balance in the County Welfare Fund;" and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 178, 1979. Introduced by Mr. West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional three hundred seventy-five thousand seven hundred forty-one dollars (\$375,741) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 179, 1979. Introduced by Mrs. Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional one hundred sixty-six thousand six hundred fourteen dollars (\$166,614) in the Flood General Fund for purposes of the Department of Public Works, Division of Flood Control, and reducing the unappropriated and unencumbered balance in the Community Development Block Grant Fund;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 180, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing a speed limit of 40 miles per hour for a portion of Millersville Road [Amends Code Section 29-136];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 181, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing a speed limit of 35 miles per hour on a portion of Lynhurst Drive [Amends Code Section 29-136];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 182, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at five intersections in Marion County [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 183, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections near 34th and Moller Road [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 184, 1979. Introduced by Mr. McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing an intersection control at 16th Street and Tremont [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 185, 1979. Introduced by Mr. Howard. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing a one-hour parking meter zone on Georgia Street from Delaware Street to Illinois Street and a two-hour parking meter zone on Georgia Street from Illinois Street to Capitol Avenue [Amends Code Section 29-283];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 186, 1979. Introduced by Mr. Schneider. The Clerk read the proposal, amended introduction version, entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional fifty-four thousand six hundred fifty-three dollars (\$54,653) in the County General Fund for purposes of the County Auditor, Central Data Processing, and the various township assessors and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 187, 1979. Introduced by Mr. Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional two hundred thousand dollars (\$200,000) in the County General Fund for purposes of the County Election Board and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 188, 1979. Introduced by Mr. Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional fourteen thousand dollars (\$14,000) in the County General Fund for purposes of Central Data Processing and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 189, 1979. Introduced by Mr. Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) authorizing changes in the personnel compensation schedule (Section 2.03) for the Lawrence Township Assessor's Office;" and the President referred it to the County & Townships Committee.

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 128, 1979. Mr. Schneider stated that this proposal reinstated a CETA position which had been eliminated from Superior Court, Room 5, during the budget hearings. The Council recessed to a Committee of the Whole at 7:20 p.m. for public hearing, and reconvened at 7:21 p.m. Proposal No. 128, 1979, was then adopted on the following roll call vote; viz:

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

NO NOES.

4 NOT VOTING: *Mrs. Brinkman, Mr. Cantwell, Mr. Clark, and Mr. West.*

Proposal No. 128, 1979. was retitled FISCAL ORDINANCE NO. 36, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 36, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional ten thousand dollars (\$10,000) in the County General Fund for purposes of Superior Court, Room V, and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of permitting the employment of one CETA worker in Superior Court, Room V.

SECTION 2. The sum of ten thousand dollars (\$10,000) 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 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.07 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of completing 1976 reassessment in Center Township.

SECTION 2. The sum of forty-four thousand eight hundred seventy-three dollars (\$44,873) 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:

CENTER TOWNSHIP ASSESSOR	1976 PROPERTY REASSESSMENT
21. Contractual Services	("A-FUND")
	\$44,873
TOTAL INCREASES	\$44,873

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

Unappropriated and unencumbered	1976 PROPERTY REASSESSMENT
1976 Property Reassessment	("A-FUND")
("A-Fund")	\$44,873
TOTAL REDUCTIONS	\$44,873

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

PROPOSAL NO. 134, 1979. Mr. West explained that this proposal appropriated and/or transferred funds for several purposes including: (1) funding the Title IV-D program, child support; (2) transferring funds from personal services to contractual services for the contracting of attorneys; (3) paying remaining 1978 bills; (4) the hiring of five additional deputy prosecutors; and (5) transferring of funds from the Auditor's budget to the Prosecutor's budget the money saved on fringe benefits from the contracting of attorneys instead of the hiring of attorneys. Mr. West responded to a question of Mr. Howard by stating that Goldsmith's budget is smaller than Kelley's. In response to a question posed by Mr. Miller, Stu Rhodes, Fiscal Analyst, stated the Auditor certified the availability of funds.

Councilman Anderson questioned the Council's responsibility for providing funds for amounts which were overspent in the previous year. Mr. Elrod stated that he and the Corporation Counsel were working on a procedure to settle prior year expenditures which exceeded available appropriations. He also stated that for the Council to make appropriations to cover allegedly unlawful expenditures could make the Council members personally liable. After Mr. Elrod's explanation, Mr. West moved, seconded by Mr. Walters to postpone this proposal until the meeting of May 9, 1979. The motion carried by unanimous voice vote.

PROPOSAL NO. 143, 1979. As explained by Mr. Schneider, the interest expense of the tax anticipation time warrant had been underestimated at last year's budget hearing. Also, the attorney general declared that the City has the legal responsibility to pay school tuition until the end of 1979. The other expense covered by this

appropriation, change of venue, is required due to the quantity of cases being venued to other counties. The Council recessed to a Committee of the Whole at 8:45 p.m. for public hearing, and reconvened at 8:46 p.m. Following public hearing, Proposal No. 143, 1979, was adopted on the following roll call vote; viz:

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

NO NOES.

1 NOT VOTING: Mr. Gilmer.

Proposal No. 143, 1979, was retitled FISCAL ORDINANCE NO. 38, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 38, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional seven hundred fifty thousand dollars (\$750,000) in the County General Fund for purposes of Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of:

tax anticipation warrant interest expense	\$200,000
school tuition	450,000
change of venue charges	<u>100,000</u>
Total	\$750,000

SECTION 2. The sum of seven hundred fifty thousand dollars (\$750,000) 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:

AUDITOR	COUNTY GENERAL FUND
25. Current Obligations	<u>\$750,000</u>
TOTAL INCREASES	\$750,000

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

Unappropriated and unencumbered County General Fund	<u>\$750,000</u>
TOTAL REDUCTIONS	\$750,000

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

PROPOSAL NO. 144, 1979. Mr. Schneider moved, seconded by Mr. Hawkins, to postpone indefinitely Proposal No. 144, 1979, appropriating \$48,234.60 in the Auditor's budget for the purpose of the County Fair Board Fund. The motion carried by consent.

PROPOSAL NO. 146, 1979. This proposal appropriates \$54,405 for the Mayor's Garden Program to be administered by Cooperative Extension. Previously the program had been under the direction of CAAP; however, Cooperative Extension could provide the same services for less than half required by the prior sponsor. The Council recessed to a Committee of the Whole at 7:47 p.m. for public hearing, and reconvened at 7:48 p.m. Mr. Schneider moved, seconded by Mr. Cantwell, its adoption. Proposal No. 146, 1979, was adopted on the following roll call vote; viz:

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

NO NOES.

4 NOT VOTING: Mr. Campbell, Mr. Cantwell, Mr. Clark, and Mr. Gilmer.

Proposal No. 146, 1979, was retitled FISCAL ORDINANCE NO. 39, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 39, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional fifty-four thousand four hundred five dollars (\$54,405) in the County General Fund for purposes of Cooperative Extension and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of the Mayor's Garden Program, entirely CETA funded.

SECTION 2. The sum of fifty-four thousand four hundred five dollars (\$54,405) 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:

COOPERATIVE EXTENSION	COUNTY GENERAL FUND
10. Personal Services	\$43,110
21. Contractual Services	800
22. Supplies	3,854
24. Current Charges	1,677
25. Current Obligations	3,161
50. Properties	<u>1,803</u>
TOTAL INCREASES	\$54,405

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

COUNTY GENERAL FUND	
Unappropriated and unencumbered	
County General Fund	<u>\$54,405</u>
TOTAL REDUCTIONS	\$54,405

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

PROPOSAL NO. 147, 1979. Mr. Schneider stated that the County & Townships Committee had amended this proposal to exclude any reference to paying the 1978 bills for the County Clerk's Office since General Counsel, Robert Elrod, stated in a memorandum that the Council could be responsible for 125% of the appropriation if it were ruled unlawful in court. He then moved the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 147, 1979, by deleting the introduced version and substituting therefor the version entitled: "Proposal No. 147, 1979, Committee Recommendations".

s/William G. Schneider

The motion carried on a unanimous voice vote. The Council recessed to a Committee of the Whole at 8:12 p.m. for public hearing, during which time Mr. Don Christenson urged the Council to call upon the bonding company of the past County Clerk and Auditor to cover the bills remaining from 1978. The Council reconvened at 8:13 p.m. In response to Mr. Christenson's statement, Mr. Elrod replied that if the Treasurer does not have the funds to cover the bills, then he must make a claim. Mr. Schneider then moved, seconded by Mr. Cantwell, the adoption of this proposal. The motion carried on the following roll call vote; viz:

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

NO NOES.

1 NOT VOTING: Miss Parker.

Proposal No. 147, 1979, As Amended, was retitled FISCAL ORDINANCE NO. 40, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 40, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional twenty-two thousand nine hundred ninety dollars (\$22,990) in the County General Fund for purposes of the County Election Board and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of paying bills remaining from 1978.

SECTION 2. The sum of twenty-two thousand nine hundred ninety dollars (\$22,990) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY ELECTION BOARD	COUNTY GENERAL FUND
21. Contractual Services	\$17,346
22. Supplies	1,925
24. Current Charges	3,719
TOTAL INCREASES	\$22,990

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

Unappropriated and unencumbered	
County General Fund	\$22,990
TOTAL REDUCTIONS	\$22,990

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

PROPOSAL NO. 149, 1979. Mr. Durnil, Chairman of the Metropolitan Development Committee, stated that the committee had amended the introduced version by deleting \$90,000 which brought the total appropriation to \$170,000. He then moved, seconded by Mr. Walters, the following amendment:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 149, 1979, by deleting the introduced version and substituting therefor the version entitled: "Proposal No. 149, 1979, Committee Recommendations".

s/Allen Durnil

The motion carried by unanimous voice vote. The Council recessed to a Committee of the Whole at 7:51 p.m. for public hearing, and reconvened at 7:52 p.m. Proposal No. 149, 1979, As Amended, was then adopted on the following roll call vote; viz:

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

2 NOES: Mr. Howard and Mr. Schneider.

2 NOT VOTING: Mr. Dowden and Mr. Miller.

Proposal No. 149, 1979, As Amended, was retitled FISCAL ORDINANCE NO. 41, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 41, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional one hundred seventy thousand dollars (\$170,000) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Division of Planning and Zoning, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of certain contracts for Traffic Operation Plans, Para Transit, Corridor Planning, Parking and Air Quality, Urban Goods Movements, and Transit Operations Planning financed 95 percent by federal UMTA, FWHA, EPA and CDBG funds.

SECTION 2. The sum of one hundred seventy thousand dollars (\$170,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT	
DIVISION OF	CONSOLIDATED
PLANNING AND ZONING	COUNTY FUND
21. Contractual Services	<u>\$170,000</u>
TOTAL INCREASES	<u>\$170,000</u>

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

Unappropriated and unencumbered	CONSOLIDATED COUNTY FUND
Consolidated County Fund	
	<u>\$170,000</u>
TOTAL REDUCTIONS	<u>\$170,000</u>

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

PROPOSAL NO. 150, 1979. By consent, Proposal No. 150, 1979, was postponed until the meeting of May 9, 1979.

PROPOSAL NO. 154, 1979. Mr. McGrath reported that the Transportation Committee unanimously recommended passage of this proposal. The Council

recessed to a Committee of the Whole at 8:00 p.m. for public hearing during which time Mr. Don Christenson thanked the Council for its assistance in getting the sidewalks in his precinct repaired. The Council reconvened at 8:01 p.m. Following discussion, Proposal No. 154, 1979, was adopted on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Miss Parker, Mr. Patterson, Mr. Poarçe, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Vollmer, Mr. Walters, and Mr. West.

NO NOES.

4 NOT VOTING: Mr. Clark, Mrs. Coughenour, Mr. Gilmer, and Mr. Tintera.

Proposal No. 154, 1979, was retitled FISCAL ORDINANCE NO. 42, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 42, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional two hundred fifty-one thousand seven hundred fifty dollars (\$251,750) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of providing additional repair and/or replacement of curbs and sidewalks as required financed by a Community Development Grant.

SECTION 2. The sum of two hundred fifty-one thousand seven hundred fifty dollars (\$251,750) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF	TRANSPORTATION
TRANSPORTATION	GENERAL FUND
21. Contractual Services	<u>\$251,750</u>
TOTAL INCREASES	<u>\$251,750</u>

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

	TRANSPORTATION
	GENERAL FUND
Unappropriated and unencumbered	
Transportation General Fund	<u>\$251,750</u>
TOTAL REDUCTIONS	<u>\$251,750</u>

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

PROPOSAL NO. 161, 1979. Mr. Schneider said that the Auditor, Mr. Eakin, explained to the committee that several of the court's jury budgets were depleted. The Council recessed to a Committee of the Whole at 8:03 p.m. for public hearing, and reconvened at 8:04 p.m. Proposal No. 161, 1979, was then adopted on the following roll call vote; viz:

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

NO NOES.

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

Proposal No. 161, 1979, was retitled FISCAL ORDINANCE NO. 43, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional fifteen thousand dollars (\$15,000) in the County General Fund for purposes of the Court Administrator and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of providing a mechanism by which jury per diem fees may be paid expeditiously for any division of the Superior Court which has exhausted its own individual budget therefor, as provided in Section 5.

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

COURT ADMINISTRATOR	COUNTY GENERAL FUND
10. Services Personal	<u>\$15,000</u>
TOTAL INCREASES	\$15,000

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

Unappropriated and unencumbered	
County General Fund	<u>\$15,000</u>
TOTAL REDUCTIONS	\$15,000

SECTION 5. There is hereby established a subaccount within the personal services major character of the Court Administrator to which shall be assigned the money herein appropriated. The title of this subaccount shall be "Jury Per Diem". No money shall be expended therefrom, except on account of jury per diem fees, as approved by the Auditor in consultation with the Presiding Judge of the Superior Court.

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

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 133, 1979. Mrs. Coughenour reported that this proposal extended the time period for government agencies to remit their sewer bills from seventeen to ninety days. Mr. Miller then moved, seconded by Mrs. Coughenour, the following amendment:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 133, 1979, as follows:

Section 1, line 6, strike "ninety (90)" and insert "sixty (60)".

s/Donald W. Miller

The amendment carried on a unanimous voice vote. Following discussion, Proposal No. 133, 1979, As Amended, was adopted on the following roll call vote; viz:

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

2 NOES: Mr. Howard and Mr. Walters.

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

Proposal No. 133, 1979, As Amended was retitled GENERAL ORDINANCE NO. 36, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 36, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Section 27-105(c) to provide for modification of the time within which governmental units must pay rates or charges for use of sewerage facilities.

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

SECTION 1. Section 27-105(c) of Division 3 of Article IV of Chapter 27 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined so as to read as follows:

Sec. 27-105(c)

Rates and charges shall be due to the department of public works within seventeen (17) days after mailing of billings — with the exception of rates and charges assessed against or to be paid by a federal, state, county or municipal governmental unit, which shall be due within sixty (60) days. All payments made by a person based upon the reports submitted as provided for in this division shall become final unless

verification is made and notice given by the director of necessary adjustments within one year of said payment. Underpayment of charges based on errors in users' reports and estimates shall be billed on ascertainment thereof. Overpayment of charges arising from any cause shall first be applied to unpaid billings.

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. 131, 1979. Mr. Durnil explained this proposal appropriated funds for the purchase of a magnetic card typewriter system for the Division of Code Enforcement. The system is currently being leased. Following a brief discussion, Proposal No. 131, 1979, was adopted on the following roll call vote; viz:

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

NO NOES.

3 NOT VOTING: Mrs. Coughenour, Mr. Miller, and Mr. West.

Proposal No. 131, 1979, was retitled **FISCAL ORDINANCE NO. 44, 1979**, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 44, 1979

A FISCAL ORDINANCE amending the **CITY—COUNTY ANNUAL BUDGET FOR 1979** (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating two thousand six hundred thirty dollars (\$2,630) in the Consolidated County Fund for purposes of the Division of Code Enforcement and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of purchasing an item of equipment which is currently being leased.

SECTION 2. The sum of two thousand six hundred thirty dollars (\$2,630) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT		
DIVISION OF		
	CODE ENFORCEMENT	CONSOLIDATED COUNTY FUND
50.	Properties	\$2,630
	TOTAL INCREASES	\$2,630

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

DEPARTMENT OF METROPOLITAN DEVELOPMENT		
DIVISION OF		
	CODE ENFORCEMENT	CONSOLIDATED COUNTY FUND
24.	Current Charges	\$2,630
	TOTAL REDUCTIONS	\$2,630

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

PROPOSAL NO. 222, 1978. Miss Parker reported that the Municipal Corporations Committee recommended striking this proposal since the State legislature had appropriated \$400,000 to the City for mass transit. At the request of Mr. West, a brief report on the action of the legislature related to mass transit was to be given later in the meeting. Mr. Vollmer commented that he felt the legislature had failed to come to our aid. Miss Parker moved, seconded by Mr. Howard, to strike Proposal No. 222, 1978. The motion carried on a voice vote.

PROPOSAL NO. 148, 1979. Mr. Tintera stated that this proposal was an inducement resolution for economic development bonds for Mechanics Laundry which would lease the facility constructed to its wholly-owned subsidiary, Monarch Beverage. Mr. Durnil asked about the pending alcohol, firearms, and tobacco violation. Mr. Ed French of Mechanics Laundry stated it had to do with stocking the shelves and dusting the bottles. He further added that no matter the outcome, the company would not lose its permit, but it would just be suspended. Following further discussion, Proposal No. 148, 1979, was adopted on the following roll call vote; viz:

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

1 NO: Mr. Patterson.

1 NOT VOTING: Mr. Dowden.

Proposal No. 148, 1979, was retitled SPECIAL RESOLUTION NO. 16, 1979, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 16, 1979

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds for Mechanics Laundry and Supply, Inc.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company, as developer, and said facilities to be either owned by or leased or sold to a company, as developer, and in turn leased or subleased by a company, as developer, to another company, as user; and

WHEREAS, Mechanics Laundry and Supply, Inc. (the "Developer") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City acquire, construct and equip certain economic development facilities and sell or lease the same to the Developer or that the City loan the proceeds of such a financing to the Developer for such purposes, said Developer to in turn lease or sublease the economic development facilities to Monarch Beverage Co., Inc. (the "User"), said economic development facility to be a 100,000 square foot warehouse and office facility with no retail sales (including the real estate on which it is located), and the machinery and

equipment to be installed therein, to be located in the Belmont-Oliver Industrial Park, Indianapolis, Indiana, on an approximate 7½ acre tract of land (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (4 to 15 new jobs added) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the Developer will lease the Project to the User; and

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

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

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

SECTION 1. The City-County finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Indianapolis, Indiana, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

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

SECTION 3. In order to induce the Developer to proceed with the acquisition, construction and equipping of the Project, the City-County Council hereby finds, determines, ratifies, and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Developer; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Developer of moneys expended by the Developer for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter either lease the same to the Developer or loan the proceeds of such financing to the Developer for the same purposes, and the Developer will lease the same to the User.

PROPOSAL NO. 152, 1979. Mr. West reported that this proposal amended the Code so that the standpipe ordinance is in compliance with State law. He then moved its adoption. The proposal was adopted on the following roll call vote; viz:

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

NO NOES.

4 NOT VOTING: Mr. Campbell, Mr. Cantwell, Mr. Page, and Mr. Tintera.

Proposal No. 152, 1979, was retitled GENERAL ORDINANCE NO. 37, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 37, 1979

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by amending Sec. 12-265 to limit standpipe requirements.

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

SECTION 1. Division 10 of Article III of Chapter 12 of the Code of Indianapolis and Marion County is hereby amended by deleting Section 12-265 which reads as follows:

Sec.12-265. Where standpipes required.

All buildings except one- and two-family dwellings and unheated industrial or warehouse sites which are three (3) or more stories in height, shall be equipped with a wet or dry standpipe and hose system, to be installed according to the specification in NFPA No. 14 provided, however, every assembly occupancy of any height and all of the following occupancies which are over twenty thousand (20,000) square feet in area shall be equipped with at least one (1) wet standpipe, extending from the cellar or basement into the topmost story, to be installed according to NFPA No. 14;

- (1) Educational occupancies and churches, unless they have no permanent stage and a seating capacity of less than three hundred (300) people;
- (2) Institutional occupancies such as jails, hospitals and nursing homes;
- (3) Plants, factories, workshops, storage and office buildings, stores and service stations;
- (4) Hotels, motels, apartments and lodging houses, except where each guest room or apartment unit has a direct access to the outside of the building at ground level.

SECTION 2. Division 10 of Article III of Chapter 12 of the Code of Indianapolis and Marion County is hereby amended by adding a new Section 12-265 to read as follows:

Sec. 12-265. Where standpipes required.

All new or structurally remodeled buildings which are four (4) stories or more in height shall be equipped with a wet or dry standpipe installed in accordance with NFPA No. 14.

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

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

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

PROPOSAL NO. 129, 1979. Mr. Schneider stated that this proposal transferred money between pseudo codes and characters. No additional appropriation was requested for the Marion County Home. Following a brief discussion, Proposal No. 129, 1979, was adopted on the following roll call vote; viz:

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

NO NOES.

7 NOT VOTING: Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Miller, Mrs. Stewart, and Mr. Tintera.

Proposal No. 129, 1979, was retitled FISCAL ORDINANCE NO. 45, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating thirteen thousand dollars (\$13,000) in the County General Fund for purposes of the Marion County Home and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of realigning the Marion County Home budget.

SECTION 2. The sum of thirteen thousand dollars (\$13,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY HOME	COUNTY GENERAL FUND
21. Contractual Services	<u>\$13,000</u>
TOTAL INCREASES	\$13,000

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

MARION COUNTY HOME	COUNTY GENERAL FUND
22. Supplies	\$ 2,500
23. Materials	225
24. Current Charges	4,500
50. Properties	<u>5,775</u>
TOTAL REDUCTIONS	\$13,000

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

PROPOSAL NO. 145, 1979. This proposal transfers funds in the budget of the County Assessor for the regularly appropriated fee for the payment of dues to the Society of Real Estate Appraisers. After motion duly made and seconded, Proposal No. 145, 1979, was adopted on the following roll call vote; viz:

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

NO NOES.

5 NOT VOTING: Mrs. Brinkman, Mr. Clark, Mr. Patterson, Mrs. Stewart, and Mr. Tintera.

Proposal No. 145, 1979, was retitled FISCAL ORDINANCE NO. 46, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 46, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating three hundred dollars (\$300.00) in the County General Fund for purposes of County Assessor and reducing certain other appropriations for that office.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of paying registration dues to the Society of Real Estate Appraisers.

SECTION 2. The sum of three hundred dollars (\$300) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

COUNTY ASSESSOR	COUNTY GENERAL FUND
24. Current Charges	\$300
TOTAL INCREASES	\$300

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

COUNTY ASSESSOR	COUNTY GENERAL FUND
21. Contractual Services	\$300
TOTAL REDUCTIONS	\$300

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

PROPOSAL NO. 160, 1979. As reported by Mr. Schneider, the transfer of funds from the Court Administrator's budget into the budget of Superior Court, Room 6, is for supplies, contractual personnel, and the tuition for Judge Madinger to attend judicial college. Proposal No. 160, 1979, was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mrs. Journey, Mr. Lyons, Mr. McGrath, Mr. Page, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, and Mr. West.

NO NOES.

6 NOT VOTING: Mr. Boyd, Mrs. Brinkman, Mr. Dowden, Mr. Hawkins, Mr. Kimbell, and Mr. Miller.

Proposal No. 160, 1979, was retitled FISCAL ORDINANCE NO. 47, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 47, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating six thousand seventy-five dollars (\$6,075) in the County General Fund for purposes of Superior Court, Room 6, and reducing certain other appropriations for the Office of the Court Administrator.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of increasing the budget of Superior Court, Room 6.

SECTION 2. The sum of six thousand seventy-five dollars (\$6,075) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

SUPERIOR COURT, ROOM 6	COUNTY GENERAL FUND
10. Personal Services	\$2,000
21. Contractual Services	1,000
22. Supplies	2,000
24. Current Charges	75
50. Properties	1,000
TOTAL INCREASES	\$6,075

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

COURT ADMINISTRATOR	COUNTY GENERAL FUND
10. Personal Services	\$6,075
TOTAL REDUCTIONS	\$6,075

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

PROPOSAL NOS. 156, 157, and 158, 1979. Since these proposals were routine traffic controls, consent was given to hear them as a whole. Following a brief discussion, Mr. McGrath moved, seconded by Mr. Clark, the adoption of Proposal Nos. 156, 157, and 158, 1979. They were adopted on the following roll call vote; viz:

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

NO NOES.

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

Proposal Nos. 156, 157, and 158, 1979, were retitled GENERAL ORDINANCES NOS. 38, 39, and 40, 1979, consecutively, and read as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 38, 1979

A GENERAL ORDINANCE prohibiting parking on certain portions of Fletcher Avenue and Shelby Street. [Amends Code Section 29-268 and 29-267]

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

PART I

Chapter 29 of the Code of Indianapolis and Marion County, specifically "Sec. 29-268. Stopping, standing or parking prohibited at all times on certain designated streets," be, and the same is hereby amended by the deletion of the following, to wit:

FLETCHER AVENUE

on the south side, from Calvary Street to Shelby Street;

PART II

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

FLETCHER AVENUE

on the south side, from the west curbline of Shelby Street
west for a distance of 230 feet;

SHELBY STREET

on the east side, from Hoyt Avenue to Spann Avenue;

PART III

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

PART IV

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

CITY—COUNTY GENERAL ORDINANCE NO. 39, 1979

A GENERAL ORDINANCE establishing intersection controls in the Muirfield Subdivision. [Amends Code Section 29-92]

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

PART I

Chapter 29 of the Code of Indianapolis and Marion County, specifically "Sec. 29-92. Schedule of intersection controls," be, and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No. 48, pg. 1	Combs Road & Glenshire Way	Combs Road	Stop
No. 48, pg. 1	Combs Road & Muirfield Way	Combs Road	Stop
No. 48, pg. 1	Glenshire Way & Troon Drive & Troon Court	Glenshire Way	Stop
No. 48, pg. 1	Glenshire Way & Glenshire Circle	Glenshire Way	Yield
No. 48, pg. 1	Muirfield Way & Muirfield Court	Muirfield Way	Stop
No. 48, pg. 1	Muirfield Way & Muirfield Circle	Muirfield Way	Yield
No. 48, pg. 1	Troon Way & Gordon Way	Troon Way	Stop
No. 48, pg. 1	Gordon Way & Turnberry Way	Gordon Way	Stop
No. 48, pg. 1	Turnberry Way & Turnberry Court	Turnberry Way	Stop
No. 48, pg. 1	Muirfield Way & Inverness Drive	Muirfield Way	Stop
No. 48, pg. 1	Muirfield Way & Gordon Way	Muirfield Way	Stop

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 sections amended by this ordinance.

PART III

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

CITY—COUNTY GENERAL ORDINANCE NO. 40, 1979

A GENERAL ORDINANCE establishing the speed limit of 35 miles per hour on a portion of Claredon 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:

Claredon Road from 38th Street to 42nd Street, speed limit 35

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 sections amended by this ordinance.

PART III

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

PROPOSAL NO. 132, 1979. Mr. Gilmer stated that this proposal reallocates funds so that they are placed in the correct character. After motion duly made and seconded, Proposal No. 132, 1979, was adopted on the following roll call vote; viz:

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

NO NOES.

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

Proposal No. 132, 1979, was retitled FISCAL ORDINANCE NO. 48, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 48, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating three hundred five thousand one hundred seventy-seven dollars (\$305,177) in the Park General Fund for purposes of Parks & Recreation Department and reducing certain other appropriations for that department.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of reallocation of funds within the Parks Department.

SECTION 2. The sum of three hundred five thousand one hundred seventy-seven dollars (\$305,177) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

PARKS DEPARTMENT		PARK GENERAL FUND
21.	Contractual Services	\$259,100
50.	Properties	46,077
	TOTAL INCREASES	\$305,177

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

PARKS DEPARTMENT		PARK GENERAL FUND
10.	Personal Services	\$238,531
22.	Supplies	2,000
23.	Materials	41,500
24.	Current Charges	7,910
25.	Current Obligations	15,236
	TOTAL REDUCTIONS	\$305,177

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

PROPOSAL NO. 164-176, 1979. No action was taken on Proposal Nos. 164 through 176, 1979. They were retitled REZONING ORDINANCE NOS. 48-60, 1979, and read as follows:

**REZONING ORDINANCE NO. 48, 1979 79-Z-12 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
3939 MADISON AVENUE, INDIANAPOLIS**
Indiana Central University requests rezoning of 10.42 acres, being in I-3-U district, to C-7 classification to permit storage, sale and service of autos and trucks over one-half ton.

**REZONING ORDINANCE NO. 49, 1979 78-Z-24 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
1402 WEST HANNA AVENUE, INDIANAPOLIS**
James A. & Dorothy E. Maschmeyer request rezoning of 3.5 acres, being in C-3 district, to I-3-U classification to permit truck parking.

**REZONING ORDINANCE NO. 50, 1979 78-Z-26 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
3190 SOUTH KEYSTONE AVENUE, INDIANAPOLIS**
Richard D. Fletcher, 3201 South St. Paul Street requests rezoning of 0.336 acres, being in D-5 district, to C-3 classification to permit retail commercial sales.

**REZONING ORDINANCE NO. 51, 1979 79-Z-28 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
10930 EAST TENTH STREET, INDIANAPOLIS**
Metropolitan School District of Warren Township, Marion County, Indiana, requests rezoning of 14.251 acres, being in A-2 district, to SU-2 classification to bring zoning into conformity with existing East Ridge Elementary School use.

**REZONING ORDINANCE NO. 52, 1979 79-Z-30 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22
431 and 422 ST. PETER STREET, INDIANAPOLIS**
Trustees of the Eastside Church of God by Ronald M. Ragan requests rezoning of 1.84 acres, being in D-5 district, to SU-1 classification to permit church use and accessory parking, as per plans filed.

**REZONING ORDINANCE NO. 53, 1979 79-Z-31 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
7402 HICKORY ROAD, INDIANAPOLIS**
Meredith & Perlinda Fink, 7240 Hickory Road request rezoning of 56.48 acres, being in A-2 district, to D-1 classification to provide for residential use by platting.

**REZONING ORDINANCE NO. 54, 1979 79-Z-32 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
7955 ALLISON AVENUE, INDIANAPOLIS**
Park 100 Development Company requests rezoning of 49.63 acres, being in I-1-S district, to I-3-S classification to provide additional I-3-S zoned property within Park 100 Industrial Park.

**REZONING ORDINANCE NO. 55, 1979 79-Z-33 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
4811 SOUTH HIGH SCHOOL ROAD, INDIANAPOLIS**
Warren Guthrie, 4830 El Camino Court requests rezoning of 2.53 acres, being in C-5 district to C-7 classification to establish proper zoning for existing use.

REZONING ORDINANCE NO. 56, 1979 79-Z-34 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
5959 CRAWFORDSVILLE ROAD, INDIANAPOLIS
Leonard E. Wardlow, 1134 North Goodlet Avenue requests rezoning of 0.69 acres being in D-5 district, to C-3 classification for commercial use.

REZONING ORDINANCE NO. 57, 1979 79-Z-36 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
225 NORTH NEW JERSEY STREET, INDIANAPOLIS
C. E. Pauley & Co., Inc. 225 N. New Jersey Street requests rezoning of 0.616 acres being in C-4 and I-3-U districts, to I-3-U classification for a printing establishment and related industrial uses.

REZONING ORDINANCE NO. 58, 1979 79-Z-37 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
8420 MASTERS ROAD, INDIANAPOLIS
H. G. Lotshaw & Myrtle M. Lotshaw, 8420 Masters Road request rezoning of 0.76 acres being in I-3-S district, to C-4 classification to provide for an accounting services facility.

REZONING ORDINANCE NO. 59, 1979 79-Z-41 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6
4230 CROWN STREET, INDIANAPOLIS
Indianapolis Water Company, 1220 Waterway Boulevard requests rezoning of 2.10 acres, being in D-5 district, to SU-39 classification, to provide for the erection of a chlorination building under the existing tank.

REZONING ORDINANCE NO. 60, 1979 79-Z-43 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
8802 WEST 86TH STREET, INDIANAPOLIS
Kathryn M. Brown & Guernsey Van Riper, Jr. request rezoning of 62.00 acres, being in A-2, Floodway and Floodplain Districts, zoning district, to D-S classification, to provide for the use and development of estate-type, low-density single-family platting.

ANNOUNCEMENTS AND AJOURNMENT

At the suggestion of Councilman Boyd, President SerVaas stated that at a future meeting the funding of Metro would be placed on the agenda for discussion. Also concerning the matter of the funding of Metro, Mr. Gilmer requested that Mr. SerVaas write a letter to Representative Donaldson and other representatives who promised to assist Marion County with a public transit system, and state the disappointment of the Council with the plan which passed the legislature.

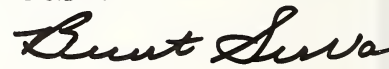
There being no further business, upon motion duly made and seconded, the meeting adjourned at 8:45 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, held at its Regular Meeting on the 23rd day of April, 1979.

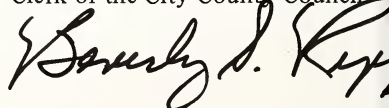
In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

ATTEST:

President



Clerk of the City-County Council



(SEAL)