

SPECIAL MEETING

Monday, April 8, 1974, 7:00 p.m.

A postponed Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 7:15 p.m., Monday, April 8, 1974. President Hasbrook in the Chair. Councilman Boyd opened the meeting with prayer, followed by the Pledge of Allegiance. The Clerk read the call for the Special Meeting as follows:

NOTICE OF SPECIAL MEETING

You are hereby notified that there will be a SPECIAL MEETING of the CITY-COUNTY COUNCIL held in the Council Chambers on Monday, April 8, 1974, at 7:00 P.M., the purpose of such SPECIAL MEETING being to receive communications from City-County Officials, introduce new proposals, consider for final action any proposals eligible for passage, and to conduct any and all business requiring the attention of the Council at this time.

Respectfully,

THOMAS C. HASBROOK
President, City-County Council

JAW/jp

ROLL CALL

The President instructed the Clerk to take the roll. Twenty-six members being present, he announced a quorum. The roll call was as follows: *Present:* Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith,

Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *Absent:* Mr. Broderick, Mrs. Gibson and Mr. Gorham.

APPROVAL OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for March 25, 1974, as distributed. There being no corrections, the Journal for March 25, 1974, stands approved as distributed.

OFFICIAL COMMUNICATIONS

President Hasbrook called for reading of communications. The Clerk read the following:

March 26, 1974

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-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. Jean A. Wyttenbach, the following City-County Ordinances.

SPECIAL RESOLUTION NO. 10, 1974, Honoring Max G. Lewis.

SPECIAL RESOLUTION NO. 11, 1974, In Memorium: Robert Lee Brokenburr.

GENERAL RESOLUTION NO. 4, 1974, approving the annexa-

tion and incorporation of additional territory into the Indianapolis Sanitary District.

FISCAL ORDINANCE NO. 12, 1974, amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 (City-County Fiscal Ordinance No. 67, 1973, as amended) and appropriating the sum of Two thousand four hundred dollars (\$2,400) for certain purposes of the Civil Defense Division, Department of Public Safety, by reducing certain other appropriations for that Division.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

RGL/jp

April 8, 1974

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be posted in three (3) public places and published in the Indianapolis News and the Indianapolis Commercial on March 28, 1974, and April 4, 1974, General Resolution No. 4, 1974, an annexation Ordinance to the Indianapolis Sanitary District.

I also caused to be posted in three (3) public places and advertised in the Indianapolis Commercial and the Indianapolis News on March 28, 1974, and April 4, 1974, a "Notice to Taxpayers" of a public hearing on Proposal No. 108, 1974, and Rezoning Ordinance No. 91, 1974, to be held on April 8, 1974, in the Council Chambers, City-County Building.

Pursuant to the laws of the State of Indiana, I caused to be posted in three (3) public places and published in the Indianapolis Commercial, and the Indianapolis News on April 1, 1974, a "Notice of Special

Meeting" to be held Monday, April 8, 1974, in the City-County Council Chambers, at 7:00 P.M.

Respectfully,

JEAN A. WYTTENBACH
City Clerk

JAW/jp

PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 123, 1974. Councilman Gilmer read the proposal for a Special Resolution honoring those units of the United States Army Reserve and the Fort Benjamin Harrison Transportation Unit who were instrumental in the move of patients and equipment to the new St. Vincent Hospital. Councilman Gilmer moved, seconded by Councilman Ruckelshaus, to adopt Proposal No. 123, 1974. The motion to adopt carried by unanimous voice vote. Proposal No. 123, 1974, was retitled Special Resolution No. 13, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1974

A PROPOSAL FOR A SPECIAL RESOLUTION honoring those units of the United States Army Reserve and the Fort Benjamin Harrison Transportation Unit who were instrumental in the move of patients and equipment to the new St. Vincent Hospital.

WHEREAS, on March 31, 1974, many patients and equipment were moved in an orderly and professional manner from St. Vincent Hospital on Fall Creek Parkway to the new hospital facility on West 86th Street; and,

WHEREAS, the 123rd Army Reserve Command Unit, eight other units, and the Fort Benjamin Harrison Transportation Unit, under

Colonel R. C. Gardner as the Project Officer, were instrumental in this delicate and demanding operation; and,

WHEREAS, the entire operation was performed without injury or mishap and was of great benefit to this community; 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, on behalf of its members and for the citizens of Indianapolis and Marion County, does hereby commend and extend its gratitude to Colonel R. C. Gardner, the 123rd Army Reserve Command Unit, the Fort Benjamin Harrison Transportation Unit, and the following Army Reserve groups for their service to the community:

The 209th Supply Company of Lafayette, Indiana
The 300th Supply and Service Battalion of Lafayette, Indiana
The 327th Data Processing Unit of Indianapolis, Indiana
The 331st Adjutant General Detachment of Indianapolis, Indiana
The 337th General Hospital Unit of Indianapolis, Indiana
The 425th Personnel Service Company of Indianapolis, Indiana
The 451st Field Depot of Indianapolis, Indiana
The Area Maintenance Support Activity Number 34

Section 2. The City-County Council hereby encourages the entire community to recognize the extraordinary performance of the United States Army Reserve and the Fort Benjamin Harrison Transportation Unit and the Indianapolis Police Department in this operation.

Section 3. The Clerk of the City-County Council is hereby instructed to inscribe a copy of this Resolution for delivery to Colonel Gardner.

Section 4. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 109, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A pro-

posal for a General Ordinance amending Title 4, Chapter 9, Section 912 thereof, CHARGES FOR PARKING;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 110, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 5, Section 512 thereof, LEFT TURNS PROHIBITED AT CERTAIN INTERSECTIONS;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 111, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 4, Section 403 thereof, ALTERATION OF PRIMA FACIE SPEED LIMIT;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 112, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 13, Section 1303 (3) thereof, TRUCKS ON CERTAIN ROADS RESTRICTED—10-TON;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 113, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 114, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 8, Section 818 thereof, PARKING, STOPPING OR STANDING PROHIBITED BETWEEN 7:00 A.M. AND 9:00 A.M., EXCEPT ON SATURDAYS, SUNDAYS AND HOLIDAYS, ON CERTAIN STREETS and amending Title 4, Chapter 8, Section 839 thereof, PARKING, STOPPING AND STANDING PROHIBITED BETWEEN 3:00 P.M. AND 4:00 P.M. EXCEPT ON SATURDAYS, SUNDAYS AND HOLIDAYS ON CERTAIN STREETS;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 115, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 116, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, and Title 4, Chapter 7, Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS, FOUR-WAY STOPS;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 117, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter

4, Section 403 thereof, ALTERATION OF PRIMA FACIE SPEED LIMITS, and Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 118, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 119, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 120, 1974. Introduced by Councilman Byrum. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending Title 4, Chapter 6, Section 602 thereof, ONE-WAY STREETS AND ALLEYS; and Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, and Title 4, Chapter 7, Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS, FOUR-WAY STOPS, and Title 4, Chapter 8, Section 811 thereof, PARKING PROHIBITED AT ALL TIMES ON ALLEYS AND STREETS OF CERTAIN WIDTHS;" and

the President referred it to the Transportation Committee.

PROPOSAL NO. 121, 1974. Introduced by Councilman Giffin. The Clerk read the proposal entitled: "A proposal for a rezoning ordinance certified from the Metropolitan Plan Commission on April 2, 1974;" and the President referred it to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 122, 1974. Introduced by Councilman Kimbell. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 and appropriating the sum of \$50,000 for certain purposes of the Office of the Director, Department of Public Safety, by reducing the unappropriated City General Fund;" and the President referred it to the Public Safety Committee.

PROPOSAL NO. 124, 1974. Introduced by Councilman Griffith. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET approving certain additional projects of the CSP;" and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 125, 1974. Introduced by Councilman Clark. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 (City-County Fiscal Ordinance No. 67, 1973, as amended) and appropriating the sum of Nine thousand eighty dollars (\$9,080.00)

for certain purposes of the Legal Division, Department of Administration, by reducing certain other appropriations for that division;" and the President referred it to the Administration Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 494, 1973. Councilman West moved, seconded by Councilman Ruckelshaus, that Proposal No. 494, 1973, be placed on the Agenda under Special Orders—Final Adoption. The motion carried by voice vote.

SPECIAL ORDERS—PUBLIC HEARING

President Hasbrook called for proposals eligible for public hearing. Members of the public were invited to be heard on proposals eligible for public hearing. The Council recessed to the Committee of the Whole at 7:40 p.m., and reconvened at 7:55 p.m.

During the recess, Proposal Nos. 91 and 108, 1974, were heard.

PROPOSAL NO. 91, 1974. Councilman Gilmer informed the Council that both petitioners and remonstrators interested in Proposal No. 91, 1974, had resolved their differences and that no public hearing was needed on this proposal. Following general discussion, Councilman Gilmer moved, seconded by Councilman Clark, that Proposal No. 91, 1974, be adopted. The motion to adopt *carried* by unanimous voice vote. Proposal No. 91, 1974, was retitled Rezoning Ordinance No. 55, 1974, and reads as follows:

R.O. #55, 1974—74-Z-25 (74-DP-4)

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1,
5590 NORTH HIGH SCHOOL ROAD, INDIANAPOLIS

Robert R. Girk, Charles E. Barker, Everett R. & Wm. H. Newton
by William F. LeMond, Attorney, 412 Union Federal Building,
request rezoning of 78.25 acres, being in A-2 district, to D-P classi-
fication to provide for a Planned Unit Development.

PROPOSAL NO. 108, 1974. Following discussion, dur-
ing which Councilman Gilmer and Mr. Fred Armstrong,
Director of the Department of Administration, spoke in
favor of the proposal, Proposal No. 108, 1974, was *passed*
on the following roll call vote; *viz:* 23 *Ayes:* Mr. Bayt,
Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr.
Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr.
Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr.
Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel. Mr.
Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas,
Mr. Tintera and Mr. West. 2 *Noes:* Mr. Cantwell and Mr.
Elmore. Councilman Giffin was out of Chambers when
vote was taken. Proposal No. 108, 1974, was retitled Fis-
cal Ordinance No. 15, 1974, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1974

A PROPOSAL FOR A FISCAL ORDINANCE amending the CITY-
COUNTY ANNUAL BUDGET FOR 1974 and appropriating the
sum of Four hundred seventy-five thousand five hundred seventy-
six dollars (\$475,576.00) for certain purposes of the Department
of Parks and Recreation by reducing the unappropriated Park
District Fund.

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

Section 1. To provide for expenditures the necessity for which

has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1974; as amended, is hereby further amended by the increases hereinafter stated to provide for expenditures pursuant to 1973 contracts with the Community Services Program by appropriating the anticipated revenues from reimbursement of such expenditures.

Section 2. A written authorization has been granted by the Community Services Program extending projects and activities relating to the Community Services Program for the year 1973.

Section 3. The sum of Four hundred seventy-five thousand five hundred seventy-six dollars (\$475,576.00) be, and the same is hereby appropriated for the purposes as shown in Section 4 by reducing the unappropriated Park District Fund as shown in Section 5.

Section 4. The following additional appropriations are hereby approved.

DEPARTMENT OF PARKS AND RECREATION

	Park District Fund
21. Contractual Services	\$381,369.00
22. Supplies	53,267.00
50. Properties	40,940.00
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TOTAL INCREASES	\$475,576.00

Section 5. The said additional appropriations are funded by the following reductions:

	Park District Fund
Unappropriated Park District Fund	\$475,576.00
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TOTAL REDUCTIONS	\$475,576.00

Section 6. This Ordinance shall be in full force and effect from and after its adoption, after public hearing, approval by the Mayor, and acceptance by the State Board of Tax Commissioners.

SPECIAL ORDERS—FINAL ADOPTION

PROPOSAL NO. 494, 1973. Following discussion, during which Councilman West spoke in favor of the proposal, Proposal No. 494, 1973, was passed on the following roll call vote; viz: 26 Ayes: Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. No Noes. Proposal No. 494, 1973, was retitled Special Resolution No. 14, 1974, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 1974

A PROPOSAL FOR A SPECIAL RESOLUTION electing for certain employees of Marion County to join the Public Employee's Retirement Fund.

WHEREAS, the City-County Council of Indianapolis and of Marion County is the governing body of Marion County, in the State of Indiana; and

WHEREAS, the actuary for the Public Employees' Retirement Fund has furnished such governing body with certain cost estimates to become a participant in such Fund as established by the Acts of 1945, Chapter 340 and all Acts amendatory and supplemental thereto; and

WHEREAS, such governing body is fully cognizant that the percentage of cost of gross annual payroll of covered employees has been set at 7.9% by the actuary of the Fund, and that at five year intervals, or more often if directed by the Board of Trustees of the Public Employee's Retirement Fund, the actuary will review the status of employees covered and shall adjust the cost percentage

accordingly so that the Fund will remain on an actuarially sound basis; and

WHEREAS, such governing body acknowledges its liability and that, pursuant to law, it and its successors in office, must appropriate sufficient funds each year to retire the employees' prior service liability in an orderly manner and also fund the current costs accruing annually; now, therefore:

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

Section 1. Marion County elects for the departments specified in Section Three to become participants in the Public Employees' Retirement Fund as established by the Acts of 1945, Chapter 340 and all Acts amendatory and supplemental thereto.

Section 2. Marion County agrees with respect to the departments specified in Section Three to make the required contributions under the Public Employees' Retirement Fund Act which is the Acts of 1945, Chapter 340, and all Acts amendatory thereof and supplemental thereto, including specifically the Acts of 1955, Chapter 329, commonly designated as "The Indiana Public Employees' Social Security Integration and Supplemental Retirement Benefits Acts."

Section 3. The following are declared to be covered by the Fund: All eligible employees, not already covered by a state pension program, who are paid from the County General Fund and employed by one of the following departments or offices:

Marion County Assessor
Center Township Assessor
Decatur Township Assessor
Franklin Township Assessor
Lawrence Township Assessor
Perry Township Assessor
Pike Township Assessor
Warren Township Assessor
Washington Township Assessor
Wayne Township Assessor
Marion County Auditor
Central Data Processing
Clerk of the Marion County Circuit Court

Marion County Coroner
Domestic Relations Counseling Bureau
Marion County Election Board
Marion County Commissioners
Cooperative Extension Service
Marion County Home and Julietta Convalescent Center
Juvenile Court of Marion County
Marion County Juvenile Center
Marion County Prosecutor
Marion County Recorder
Marion County Sheriff
Marion County Surveyor
Marion County Treasurer
Marion County Board of Voters' Registration
Circuit Court of Marion County
Superior Courts 1, 2, 3, 4, 5, 6, and 7 of Marion County
Criminal Court Divisions 1, 2, 3, and 4 of Marion County
Probate Court
Presiding Judge of the Municipal Courts of Marion County

Section 4. It is hereby declared that none of the classifications or positions specified in Section Three are compensated on a fee basis or of an emergency nature, or in a part-time category.

Section 5. The active participating membership of Marion County shall begin on July 1, 1974.

Section 6. This Resolution shall be in full force and effect from date of passage and upon approval of the Board of Trustees of the **Public Employees' Retirement Fund of Indiana**, except that active participation membership shall begin on the date set forth in Section Five.

PROPOSAL NO. 66, 1974. Proposal No. 66, 1974, was held until the next meeting of the City-County Council on Monday, April 22, 1974.

PROPOSAL NO. 96, 1974. On motion duly made and seconded and carried by voice vote, Proposal No. 96, 1974, was tabled until the next meeting of the City-County Council on Monday, April 22, 1974.

PROPOSAL NO. 26, 1974. Proposal No. 26, 1974, was held until the next meeting of the City-County Council on Monday, April 22, 1974.

PROPOSAL NO. 95, 1974. Proposal No. 95, 1974, was held until the next meeting of the City-County Council on Monday, April 22, 1974.

PROPOSAL NO. 105, 1974. Councilman West moved, seconded by Councilman Clark, to amend Proposal No. 105, 1974, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 105, 1974, be amended as follows:

In Section 4, Line 4, insert in the blanks "6¼" and "98.65" respectively.

The motion to amend carried by voice vote. Councilman Giffin requested permission to abstain from vote due to a conflict of interest and permission to abstain was given by consent. Councilman Boyd requested permission to abstain from vote due to lack of information on the proposal. Following general discussion, permission to abstain was given by the Chair. After additional discussion, Proposal No. 105, 1974, as amended was *passed* on the following roll call vote; *viz:* 21 Ayes: Mr. Bayt, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr.

McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. 3 Noes: Mr. Cantwell, Mr. Hawkins and Mrs. Noel. Proposal No. 105, 1974, as amended, was retitled Special Ordinance No. 1, 1974, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1974

A PROPOSAL FOR A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Water Facilities Revenue Bonds, 1974 Series" (Indianapolis Water Company Project) in the principal amount of Twelve Million Dollars (\$12,000,000.00) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Development Commission has rendered a report on Financing for the Construction of Proposed Economic Development Facilities of the Indianapolis Water Company at Eagle Creek Reservoir and the Metropolitan Development Commission of Marion County has commented favorably thereon; and

WHEREAS, the Indianapolis Development Commission, after public hearing conducted on March 25, 1974, adopted a Resolution on that date, which resolution has been previously transmitted hereto, finding that the financing of certain economic development water facilities of the Indianapolis Water Company complies with the purposes and provisions of I.C. 1971, 18-6-4.5, and that such financing will be of benefit to the health and welfare of the municipality and its citizens; and

WHEREAS, the Indianapolis Development Commission has approved the final forms of Loan Agreement, Indenture of Trust, Underwriting Agreement, and Final Official Statement (such documents being hereafter referred to collectively as the "Financing Agreement" referred to in I.C. 1971, 18-6-4.5) by Resolution adopted prior in time on this date, which resolution has been transmitted hereto; and

WHEREAS, the Indianapolis Development Commission has heretofore approved and recommended the adoption of the proposed form of Ordinance by this City-County Council; 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 water facilities referred to in the Loan Agreement, previously approved by the Indianapolis Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Indianapolis Water Company for the acquisition and construction of such facilities and the repayment of said loan by the Indianapolis Water Company to be evidenced and secured by first mortgage bonds of Indianapolis Water Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens.

Section 2. The forms of the Loan Agreement, Indenture of Trust, Underwriting Agreement and Final Official Statement approved by the Indianapolis Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in I.C. 1971, 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 Water Facilities Revenue Bonds, 1974 Series (Indianapolis Water Company Project), in the total principal amount of Twelve Million Dollars (\$12,000,000) for the purpose of procuring funds to loan to Indianapolis Water Company in order to pay the costs of acquisition and construction of the economic development water facilities, including interest during construction, as more particularly set out in the Indenture of Trust and Loan Agreement incorporated herein by reference which bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Indianapolis Water Company on its First Mortgage Bonds, Economic Development Series A, in the aggregate principal amount of Twelve Million Dollars (\$12,000,000) will be executed and delivered by the Company to evidence and secure said loan 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 a charge against the general credit of the City of Indianapolis.

Section 4. The City Controller is authorized and directed to sell

such bonds to Goldman, Sachs, & Co. for itself and as representative of the several underwriters listed in the schedule to the Underwriting Agreement (collectively the "Underwriters") at a rate or rates of interest on the bonds not to exceed $6\frac{1}{4}\%$ per annum and at a price of 98.65% of the principal amount thereof.

Section 5. The Mayor, City Clerk, and City Controller 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, City Clerk and City Controller on the bonds and coupons may be a facsimile signature. The City Controller is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which will be made to the Trustees 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 Water Facilities Revenue bonds, 1974 Series (Indianapolis Water Company Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereof remain unpaid.

Section 7. This Ordinance shall be in full force and effect from and after compliance with the procedure required by I.C. 1971, 18-4-5-2.

At this point, Councilman Broderick entered the Council Chambers.

PROPOSAL NO. 106, 1974. Councilman Patterson moved, seconded by Councilman West, to amend Proposal No. 106, 1974, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that Proposal No. 106, 1974, be amended by the following:

In Section 1, Lines 3 and 4, strike the words "Education and" and delete Line 11 in its entirety.

The motion to amend carried by unanimous voice vote. Following further discussion, Proposal No. 106, 1974, as amended, *passed* on the following roll call vote; *viz*: 21 *Ayes*: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Clark, Mr. Cottingham, Mr. Elmore, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mrs. Noel, Mr. Patterson, Mr. SerVaas, Mr. Tintera and Mr. West. 5 *Noes*: Mr. Dowden, Mr. McPherson, Mrs. Miller, Mr. Ruckelshaus and Mr. Schneider. Councilmen Bayt and Giffin were out of Chambers when vote was taken. Proposal No. 106, 1974, as amended, was retitled Fiscal Ordinance No. 16, 1974, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 1974

A PROPOSAL FOR A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1974 (City-County General Ordinance No. 67, 1973, as amended) approving certain additional projects of the Community Services Program and authorizing the Mayor to execute an amendment to the grant agreement with the United States of America to include these projects and activities in Year 4 of the Community Services Program.

WHEREAS, the grant agreement executed August 24, 1970, between the United States of America and the City of Indianapolis, the City of Indianapolis became a participant in and receives federal assistance for carrying out the Comprehensive Program under Title I of the Demonstration Cities and Metropolitan Development Act of 1966; and

WHEREAS, the City-County Council, by its adoption of General Resolution No. 3, 1973, authorized the submission of the proposed 1973 program amendments for Action Year 4 to the Secretary of Housing and Urban Development; and

WHEREAS, the proposed Action Year 4 amendments to the Comprehensive Year Program are described and set forth in a revised budget grant submitted to the secretary (copies of which dated April 19, 1973, are on file with the Clerk of the Council and incorporated herein by reference) and have now been submitted to this Council for appropriate action upon the appropriations therefore; and

WHEREAS, the City-County Council determines to approve the projects and activities as hereinafter defined and to appropriate the funds for the same, all in accordance with this ordinance; now therefore:

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

Section 1. Section 8 of the CITY-COUNTY ANNUAL BUDGET FOR 1974 is hereby amended to approve additional activities and programs of the Community Services Program relating to Health as proposed in the Action Year 4 amendment to the Comprehensive Year Program set forth in the revised grant budget submitted to the Secretary of Housing and Urban Development and to such end that the following activities and programs are added after Line 9 of Section 8 of the CITY-COUNTY ANNUAL BUDGET FOR 1974, to wit:

Activity Category	Contracting Agency	General Description Limitations	Amount
HEALTH	Health and Hospital Corporation	u/c Methodist Hosp., Inc. (purchase of equipment)	\$250,000

Section 2. The programs and activities approved in Section 1 shall be subject to all the terms and conditions imposed by Section 8 of the CITY-COUNTY ANNUAL BUDGET FOR 1974.

Section 3. The Mayor is authorized to accept the revised grant budget as it pertains to these activities approved in Section 1 and to execute an amendment to the Community Services Program grant agreement to that effect.

Section 4. The Mayor is authorized to do all things necessary to carry out the Comprehensive Program in accordance with this ordi-

nance, including the submission of such reports, certification, and other material as the Secretary shall require.

Section 5. The Controller or his successor or his delegate may do all things required to be done in order to obtain payment of the grant, including, but not limited to, the selection of a commercial bank to receive payment vouchers, the submission of signature specimens, and the filing of requests for payment.

Section 6. The City-County Council assumes full responsibility for assuring that all grant funds will be used in an economical and efficient manner in carrying out the Comprehensive Program, as amended, and assures the necessary non-federal share of the costs of program administration.

Section 7. This Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PROPOSAL NO. 121, 1974. No action was taken on Proposal No. 121, 1974. Proposal No. 121, 1974, was re-titled Rezoning Ordinance No. 56, 1974, and reads as follows:

R.O. #56, 1974—74-Z-35

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #14,
1802 NORTH SHADELAND AVENUE, INDIANAPOLIS

Lee T. and Erma Askren by Red Lobster Inns of America, Inc. by James R. Nickels, Attorney, One Indiana Square #2050, request rezoning of 1.75 acres, being in D-4, to C-3 classification to provide for a restaurant.

ANNOUNCEMENTS

The following Committee Meetings were scheduled:

County and Townships, Tuesday, April 9, 1974, 4:00
p.m., Room 221

Public Works, Tuesday, April 9, 1974, 3:30 p.m., Room 242

Public Safety, Monday, April 15, 1974, 4:00 p.m., Room 221

Community Affairs, Monday, April 15, 1974, 3:00 p.m., Room 221

Transportation, Wednesday, April 17, 1974, 4:00 p.m., Room 260

ADJOURNMENT

Upon motion made by Councilman Kimbell, seconded by Councilman Ruckelshaus, the meeting adjourned at 8:35 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 Special Meeting on the 8th day of April, 1974.

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



President

ATTEST



Clerk of the City-County Council

(SEAL)