

REGULAR MEETING
CITY-COUNTY COUNCIL

Monday, March 3, 1975

A Regular Meeting of the City-County Council of Indianapolis, Marion County convened in the Council Chambers of the City-County Building at 7:05 p.m., Monday, March 3, 1975. President Hasbrook in the chair. Councilman West opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

President Hasbrook instructed the Clerk to take the roll. Twenty-six members being present, he announced a quorum. *Present:* Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, and Mr. West. *Absent:* Mr. Caplinger and Mr. Giffin.

CORRECTION OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for February 18, 1975, as distributed. There being no additions or corrections to the Minutes of February 18, 1975, the minutes stand approved, as distributed.

OFFICIAL COMMUNICATIONS

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

February 23, 1975

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. Wytttenbach, the following City-County Ordinances.

FISCAL ORDINANCE NO. 8, 1975, amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional \$25,000.00 in the City General Fund for the purpose of the Office of the Director, Department of Administration and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 9, 1975, amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional \$89,000.00 in the Redevelopment Fund for purpose of the Division of Urban Renewal, Department of Metropolitan Development and reducing the unappropriated and unencumbered balance in the Redevelopment Fund.

FISCAL ORDINANCE NO. 10, 1975, amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional \$127,306.00 in the Community Services Program Fund and City General Fund for purposes of the Finance Division and Community Services Division, Department of Administration, and reducing certain

other appropriations for the Community Services Division and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 13, 1975, amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional \$15,000.00 in the Consolidated County Fund for purposes of the Administrative Division, Department of Metropolitan Development, and reducing the unappropriated Consolidated County Fund.

FISCAL ORDINANCE NO. 14, 1975, amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) appropriating the additional sum of \$316,597.00 in the City General Fund, the Consolidated County Fund, and the Park District Fund for purposes of various departments of City and County Government for use of Title II Comprehensive Employment and Training Act grants, and reducing the unappropriated and unencumbered balances in said funds.

GENERAL ORDINANCE NO. 28, 1975, amending Chapters 11 and 12 or Title 7 of the Code of Indianapolis and Marion County, 1970, providing for photographic records to be kept by pawnbrokers and second hand dealers and providing certain licensing requirements.

GENERAL ORDINANCE NO. 29, 1975, amending Title 7 of the Code of Indianapolis and Marion County, 1970, specifically revising Chapters 4 & 5 thereof, with respect to licensing of billiard and pool rooms and coin or token operated amusement vending machines.

GENERAL ORDINANCE NO. 35, 1975, amending City-County General Ordinance No. 39, 1974, to modify the salaries fixed for employees of Washington Township, Marion County, Indiana.

Respectfully,

RICHARD G. LUGAR
Mayor

February 26, 1975

Mr. Thomas C. Hasbrook, President
City County Council
City County Building—Room 241
Indianapolis, Indiana 46204

Dear Mr. Hasbrook:

For the last two months I have had the privilege of serving the citizens of Wayne Township and the 17th Councilmanic District as well as the citizens of Indianapolis. It is a privilege I have truly come to cherish.

However, in the process of preparing for the slating committee, I came across a problem created by our recent purchase of a home on Sharon Avenue. The problem of which I speak is the statutory requirement of two years residency within the district. Although my wife and I have lived the last four and one half years in Wayne Township, we have not always lived in the 17th District, and thus we do not meet the necessary requirement. It is for this reason that I am submitting my resignation to the City County Council, effective immediately.

I wish to thank all who have supported me, with a very special thanks to those from the 17th Councilmanic District; and all who have helped me in adjusting to my new duties these last two months.

Because of my concern for and pleasure in serving the people of Indianapolis, I will appear before the Republican County Slating Committee as a candidate at large, and, God willing, I will return to serve the people next January.

Sincerely,

PHILLIP D. HINKLE

March 3, 1975

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 Commercial and the Indianapolis News on February 21 and February 28, 1975 a "Notice to Taxpayers", of a public hearing on Proposal Nos. 81, 83, 84, 86, 87, 88, 89, and 91, 1975, to be held on Monday, March 3, at 7:00 PM, in the Council Chambers of the City-County Building.

I also caused to be published in the Indianapolis Commercial and the Indianapolis News on February 28, and March 4, 1975, G.O. 28 and 29, 1975.

Respectfully,

JEAN A. WYTENBACH
City Clerk

PRESENTATION OF PETITIONS, ETC.

President Hasbrook introduced Dr. James Riggs and asked him to stand and be recognized by Council.

PROPOSAL NO. 113, 1975. Councilman Boyd read the Proposal and moved it's adoption, seconded by Councilman Griffith. The Proposal for a Council Resolution appointing members of the Indianapolis-Marion County Human Rights Commission, was passed by unanimous voice vote. Proposal No. 113, 1975, was retitled Council Resolution No. 8, 1975, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 8, 1975

A PROPOSAL FOR A COUNCIL RESOLUTION appointing members of the Indianapolis-Marion County Human Rights Commission.

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

Section 1. The City-County Council does hereby appoint the following persons to the Indianapolis-Marion County Human Rights Commission:

Mrs. Jane Weddle (for a term ending December 31, 1977)

Mr. Joshua Cutler (for a term ending December 31, 1977)

Dr. James Riggs (for a term ending December 31, 1975)

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

President Hasbrook called for nominations to fill the vacancy created by the resignation of Phillip D. Hinkle, Councilmanic District 17. Councilman Patterson, seconded by Councilman Gilmer, nominated Mr. Harry L. Robbins. Councilman Boyd, seconded by Councilman Bayt, nominated Mr. Michael D. Vollmer. Councilman Gorham moved, seconded by Councilman Clark that the nominations be closed. Motion carried. After full discussion, the ballot was taken by roll call: 19 votes for Mr. Robbins and 6 votes for Mr. Vollmer. President Hasbrook declared Mr. Robbins elected to fill the vacancy in Councilmanic District 17.

At this time, the Clerk of the Council administered the Oath of Office to Mr. Robbins; and Councilman Patterson escorted him to his seat. He thereafter assumed his duty as a member of the Council.

INTRODUCTION OF GUESTS

Councilman Cottingham introduced Mr. Ron Callahan,

Wayne Township Fireman of the Year in 1973. Councilman Cottingham introduced Mr. Carlton Curry, Wayne Township Area Chairman and his son Chuck, also, Mr. Paul Smith, Wayne Township, Precinct 28.

Councilman Bayt introduced Mr. Thomas P. O'Brien, County Clerk of the Circuit Court.

Councilman Patterson introduced his wife Jennie, and Mr. Luther Condre, Wayne Inside Area Chairman.

Councilwoman Gibson introduced Mr. Glen Howard.

Councilman Hawkins introduced Mr. George Weathers.

Councilman Cantwell introduced Mr. Charles Colton.

INTRODUCTION OF PROPOSALS

PROPOSAL NOS. 95-98, 1975. Introduced by Councilman West. The Clerk read the Proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on February 19, 1975;" and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 99, 1975. Introduced by Councilman Gorham. The Clerk read the Proposal entitled: "A Proposal for a General Ordinance further amending the Code, 1951, Title 4, Chapter 8 & 9, Sections 813 and 902 thereof, specifically City-County General Ordinance No. 308, 1970, allowing special parking privileges at certain

locations to police vehicles, removing meters from these areas, establishing regulations, providing penalties, and fixing a time when the same shall take effect:" and the President referred it to the Transportation Committee.

PROPOSAL NOS. 100-107, 1975. Introduced by Councilman West. The Clerk read the Proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on February 20, 1975;" and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 108, 1975. Introduced by Councilman McPherson. The Clerk read the Proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional three hundred eight thousand three hundred eighty-four dollars and ninety-three cents (\$308,384.93) in the Sanitary District Fund for purposes of the Sanitary District of the Department of Public Works and reducing the unappropriated and unencumbered balance in the Sanitary District Fund;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 109, 1975. Introduced by Councilmen Hasbrook, Griffith, Gorham, and Miller. The Clerk read the Proposal entitled: "A Proposal for a Council Resolution appointing Urban Merl to the Metropolitan Board of Zoning Appeals;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 110, 1975. Introduced by Councilman

Cottingham. The Clerk read the Proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional One hundred fifty dollars (\$150.00) in the County General Fund for purposes of the Superior Court, Room 3, and reducing certain other appropriations for that court;" and the President referred it to the County and Townships Committee.

PROPOSAL NO. 111, 1975. Introduced by Councilman Cottingham. The Clerk read the Proposal entitled: "A Proposal for a General Ordinance amending City-County General Ordinance No. 57, 1974, to change the salaries and number of personnel authorized for the Office of the County Auditor;" and the President referred it to the County and Townships Committee.

PROPOSAL NO. 112, 1975. Introduced by Councilman Kimbell. The Clerk read the Proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) and reducing appropriations in the amount of eight hundred eight thousand thirty-one dollars (\$808,031.00) in the City General Fund for purposes of reflecting the discontinuance of the Department of Public Safety;" and the President referred it to the Public Safety Committee.

MODIFICATION OF SPECIAL ORDERS

President Hasbrook called for any business that might be handled under Modification of Special Orders. Coun-

cilman Cottingham moved, seconded by Councilman McPherson that Proposal Nos. 85 & 90, 1975, be placed upon the agenda under Special Orders—Final Adoption. The motion carried by unanimous voice vote, and reads as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal Nos. 85 & 90, 1975, be placed upon the agenda of this meeting under Special Orders—Final Adoption.

DWIGHT L. COTTINGHAM
Councilman

SPECIAL ORDERS—PUBLIC HEARING

PROPOSAL NO. 23, 1975. The Council recessed to the Committee of the Whole at 7:44 p.m., and reconvened at 7:45 p.m. After public hearing, and following discussion, during which Councilman Gorham spoke in favor of Proposal No. 23, 1975, Proposal No. 23, 1975, was passed on the following roll call vote; viz: 27 Ayes: Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. No Noes. Proposal No. 23, 1975, was retitled Fiscal Ordinance No. 18, 1975, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 1975

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional One hundred fifty thousand dollars (\$150,000.00) in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation Fund.

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 4 of the City-County Annual Budget for 1975 be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of Curb Repair in the Northwest Area pursuant to contract with the Community Services Program.

Section 2. The sum of One hundred fifty thousand dollars (\$150,000.00) be, and the same is hereby, appropriated for the purposes as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

DEPARTMENT OF TRANSPORTATION

	Transportation Fund
21. Contractual Services	\$150,000.00
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TOTAL INCREASES	\$150,000.00

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

	Transportation Fund
Unappropriated and Unencumbered Transportation Fund	\$150,000.00
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TOTAL REDUCTIONS	\$150,000.00

Section 5. This Ordinance shall be in full force and effect from and after adoption, following public hearing, approval by the Mayor, and approval by the State Board of Tax Commissioners.

PROPOSAL NO. 24, 1975. The Council recessed to the Committee of the Whole at 7:55 p.m., and reconvened at 8:24 p.m. After public hearing, and following discussion, during which Councilman Cottingham spoke in favor of Proposal No. 24, 1975, Councilman Dowden moved, seconded by Councilman Schneider that Proposals No. 24, 1975, be amended as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 24, 1975, be amended by striking out where it appears "County General Fund" and inserting in lieu thereof "Community Service Program Fund."

WILLIAM A. DOWDEN
Councilman

Councilman Tintera moved, seconded by Councilman Schneider to further amend Proposal No. 24, 1975, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 24, 1975, be amended by striking out \$25,278.00 where it appears in words or figures and inserting in lieu thereof, the following: \$12,639.00

GEORGE B. TINTERA
Councilman

Councilman Dowden accepted Councilman Tintera's Amendment to his motion to amend. The amended motion to amend carried by voice vote.

Following further discussion, Councilman Griffith suggested, that Mr. Elrod prepare a proper Amendment to be presented at a later point in Council, whereby Councilman Griffith moved, seconded by Councilman Clark that Proposal No. 24, 1975, be tabled until a time later. The motion carried by voice vote. (Clerk's note: This Proposal was removed from the table later in the meeting.)

PROPOSAL NO. 30, 1975. The Council recessed to the Committee of the Whole at 8:25 p.m., and reconvened at 8:29 p.m. After public hearing, and following discussion, during which Councilman Clark in favor of Proposal No. 30, 1975, Proposal No. 30, 1975, was *passed* on the following roll call vote; viz: *16 Ayes:* Mr. Brown, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mr. Gilmer, Mr. Hasbrook, Mr. Kimbell, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Ruckelshaus, Mr. SerVaas, Mr. Tintera, and Mr. West. *10 Noes:* Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mrs. Gibson, Mr. Griffith, Mr. Hawkins, Mr. McPherson, and Mr. Schneider. Mr. Gorham was out of Chambers. Proposal No. 30, 1975, was retitled Fiscal Ordinance No. 20, 1975, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1975

A FISCAL ORDINANCE amending the City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) appropriating the additional sum of Thirty-six thousand fifty-eight dollars

(\$36,058.00) in the Consolidated County Fund for the purpose of the Office of the Mayor for the County Administrative Office duties by reducing the unappropriated and unencumbered balances in said Funds.

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, Sections 4 and 5 of the City-County Annual Budget for 1975 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of authorizing additional personnel for the Office of the Mayor for County Administrative duties by reducing certain unencumbered balance of said Fund.

Section 2. The sum of Thirty-six thousand fifty-eight dollars (\$36,058.00) be, and is hereby, appropriated for the purposes as itemized in Section 3, by transferring the Unappropriated balances as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

OFFICE OF THE MAYOR
County Administrative Office

	Consolidated County Fund
10. Services Personal	\$ 33,158.00
24. Current Charges	900.00
25. Current Obligations	2,000.00
TOTAL INCREASES	\$ 36,058.00

Section 4. The said additional appropriations are funded by reducing the unappropriated and unencumbered fund balances as follows:

Consolidated County Fund	\$ 36,058.00
TOTAL REDUCTIONS	\$ 36,058.00

Section 5. This Ordinance shall be in full force and effect from

and after adoption, following public hearing, action by the Mayor as required by law, and approval by the State Board of Tax Commissioners.

PROPOSAL NOS. 47 & 37, 1975. By consent Proposal Nos. 47 and 37, 1975, were considered together. The Council recessed to the Committee of the Whole at 8:35 p.m., and reconvened at 8:50 p.m. After public hearing, Councilman Cottingham moved, seconded by Councilman McPherson, that Proposals 47 and 37, 1975, be amended, by substituting drafts marked "as amended." The motion carried by unanimous voice vote, and reads as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 47, 1975, be amended as follows:

By striking the Proposal as introduced and substituting in lieu thereof the proposal "As Amended."

DWIGHT L. COTTINGHAM
Councilman

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 37, 1975, be amended as follows:

By striking the proposal as introduced, and substituting in lieu thereof Proposal No. 37, 1975, As Amended.

DWIGHT L. COTTINGHAM
Councilman

Councilman Dowden moved, seconded by Councilman Elmore to further amend Proposal No. 47, 1975, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 47, 1975, be amended by striking out where it appears "County General Fund" and inserting in lieu thereof "Community Service Program Fund."

WILLIAM A. DOWDEN
Councilman

Councilman Dowden's motion to amend *failed* on the following roll call vote; viz: 5 Ayes: Mr. Brown, Mr. Dowden, Mr. Elmore, Mr. Schneider, and Mr. West. 19 Noes: Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Cottingham, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Ruckelshaus, Mr. SerVaas, and Mr. Tintera. 3 Abstentions: Mr. Boyd, Mr. Clark, and Mrs. Gibson.

Following further discussion, during which Councilman Cottingham spoke in favor of the Proposals, *PROPOSAL NO. 47, as amended*, and *PROPOSAL NO. 37, as amended*, were passed on the following roll call vote; viz: 18 Ayes: Mr. Brown, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mrs. Gibson, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, and Mr. Tintera. 9 Noes: Mr.

Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Clark, Mr. Elmore, Mr. Gorham, and Mr. West. Proposal No. 47, 1975, and Proposal No. 37, 1975, were retitled Fiscal Ordinance No. 21, 1975, and General Ordinance No. 38, 1975, respectively, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1975

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional Two hundred ninety-six thousand seven hundred seventy-three dollars in the County General Fund for purposes of the Presiding Judge, Municipal Courts, 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 5 of the City-County Annual Budget for 1975 be, and is hereby, amended by the increases and reduction hereinafter stated for the purposes of:

1. Processing an increased general workload of 108% since 1971.
2. Stabilizing the management staff.
3. Replacement of funds previously supplied by the Alcohol Safety Action Project, part of which will be expended to clear up a backlog of approximately 3,000 ASAP cases. The remainder will be used to continue services that the courts performed prior to the advent of ASAP.

Section 2. The sum of Two hundred ninety-six thousand seven hundred seventy-three dollars (\$296,773.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated County General Fund.

Section 3. The following additional appropriations are hereby approved:

PRESIDING JUDGE—MUNICIPAL COURT

	County General Fund
10. Personal Services	\$168,248.00
21. Contractual Services	100,136.00
22. Supplies	12,257.00
24. Current Charges	9,687.00
50. Properties	6,445.00
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TOTAL INCREASES	\$296,773.00

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

	County General Fund
Unappropriated and Unencumbered County General Fund	\$296,773.00
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TOTAL REDUCTIONS	\$296,773.00

Section 5. This Ordinance shall be in full force and effect from and after adoption, following public hearing and approval by the State Board of Tax Commissioners.

CITY-COUNTY GENERAL ORDINANCE NO. 38, 1975

A GENERAL ORDINANCE amending City-County General Ordinance No. 57, 1974, to authorize additional personnel for the Presiding Judge of Municipal Courts, and fixing salaries for such positions.

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

Section 1. City-County General Ordinance No. 57, 1974, be, and is hereby, further amended in Section 4, by deleting from the portion relating to the Presiding Judge, Municipal Court, the following positions:

Number	Deletions	Annual Rate	Total
8	Bailiffs, Court	\$ 8,084.00	\$ 61,740.00
18	Bailiffs, Court	8,064.00	145,152.00

1	Traffic School Director	12,285.00	12,285.00
1	Chief Accountant	8,400.00	8,400.00
2	Secretaries	6,039.00	12,079.20
2	Stenographers	5,751.90	11,503.80
2	Keypunch Operators	6,504.75	13,009.50
8	Public Defenders	6,930.00	55,440.00
	VACANCY FACTOR		(\$50,000.00)

Section 2. City-County General Ordinance No. 57, 1974, be and is hereby, further amended in Section 4 by addition of the following additional employees for the Presiding Judge of Municipal Court, to-wit:

Number	Additions	Annual Rate	Total
8	Bailiffs, Court	\$ 7,717.50	\$ 61,740.00
20	Bailiffs, Court	8,064.00	161,280.00
1	Bailiff, Parttime	1,200.00	1,200.00
1	Traffic School Director	7,000.00	7,000.00
1	Asst. Traffic School Director	7,000.00	7,000.00
1	Traffic School Lecturer	1,008.00	1,008.00
1	Traffic School Lecturer	3,600.00	3,600.00
1	Traffic School Secretary	6,174.00	6,174.00
1	Bookkeeper/Operations Asst.	8,400.00	8,400.00
6	Secretaries	6,039.60	36,237.60
1	Stenographer	5,751.90	5,751.90
1	Stenographer	6,652.00	6,652.00
2	Keypunch Operators	7,200.00	14,400.00
3	Keypunch Operators	6,600.00	19,800.00
1	Keypunch Supervisor	7,800.00	7,800.00
1	Data Processing Secretary	7,560.00	7,560.00
1	Public Defender	6,930.00	6,930.00
1	Public Defender	8,064.00	8,064.00
1	Public Defender Secretary	6,300.00	6,300.00
1	Assistant Office Manager	7,560.00	7,560.00
1	Controller	12,000.00	12,000.00
1	Operations Clerk	6,600.00	6,600.00
1	Administrative Clerk	6,600.00	6,600.00
2	Commissioners	12,600.00	25,200.00

Section 3. This Ordinance shall be in full force and effect from and after adoption.

PROPOSAL NO. 81, 1975. The Council recessed to the

Committee of the Whole at 9:12 p.m., and reconvened at 9:20 p.m. After public hearing, and following discussion, during which Councilman Cottingham spoke in favor of Proposal No. 81, 1975, Councilman Cottingham moved, seconded by Councilman Patterson that Proposal No. 81, be referred back to Committee and brought before Council at its next meeting to be held March 17, 1975. The motion was carried by unanimous voice vote.

PROPOSAL NO. 83, 1975. The Council recessed to the Committee of the Whole at 9:22 p.m., and reconvened at 9:23 p.m. After public hearing, and following discussion, during which Councilman Clark spoke in favor of Proposal No. 83, 1975, Councilman Clark moved, seconded by Councilman Bayt that Proposal No. 83, be referred back to Committee and brought before Council at its next meeting to be held March 17, 1975. The motion was carried by unanimous voice vote.

PROPOSAL NO. 84, 1975. The Council recessed to the Committee of the Whole at 9:24 p.m., and reconvened at 9:27 p.m. After public hearing, and following discussion, during which Councilman Clark spoke in favor of Proposal No. 84, 1975, Councilman Clark moved, seconded by Councilman Gorham that Proposal No. 84, be referred back to Committee and brought before Council at its next meeting to be held March 17, 1975. The motion was carried by unanimous voice vote.

PROPOSAL NO. 86, 1975. The Council recessed to the Committee of the Whole at 9:28 p.m., and reconvened at 9:29 p.m. After public hearing, and following discussion,

during which Councilman Gorham spoke in favor of the Proposal, Councilman Gorham moved, seconded by Councilman Bayt that Proposal No. 85, 1975, be referred back to Committee and brought before Council at its next meeting to be held March 17, 1975. The motion was carried by unanimous voice vote.

PROPOSAL NO. 87, 1975. The Council recessed to the Committee of the Whole at 9:30 p.m., and reconvened at 9:37 p.m. After public hearing, and following discussion, during which Councilman Cottingham spoke in favor of the Proposal, Councilman Kimbell moved, seconded by Councilman Tintera to amend Proposal No. 87, 1975, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 87, 1975, be amended by striking out in the Title, in Section 2, lines 2 & 3, in Section 3, lines 4 & 5, in Section 4, lines 4 & 5, and in Section 5, lines 3 and 4 the words and figures "Four hundred three thousand dollars (\$403,000.00)" and inserting in lieu thereof, the following words and figures: "Two hundred fifty thousand dollars (\$250,000.00)" and in Section 5, line 8, strike the words and figures "Four million two hundred two thousand dollars (\$4,202,000.00)" and insert in lieu thereof the words and figures "Four million forty-nine thousand five hundred ninety-nine dollars (\$4,049,599.00)".

ALLEN R. KIMBELL
Councilman

The motion was carried by unanimous voice vote.

Councilman Tintera wished to go on record indicating that the cars to be turned in and sold, with all funds returned to the proper account.

Following further discussion, *PROPOSAL NO. 87, 1975, as amended*, was passed on the following roll call vote; viz: 27 Ayes: Mr. Bayt, Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, and Mr. West. No Noes. Proposal No. 87, 1975, was retitled Fiscal Ordinance No. 22, 1975, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1975

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional Two hundred fifty thousand dollars (\$250,000.00) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and encumbered balance in the County General Fund, created by allocation of Federal Revenue Sharing Funds for such purposes.

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 5 of the City-County Annual Budget for 1975 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of providing for the purchase of additional automobiles for the County Sheriff.

Section 2. The sum of Two hundred fifty thousand dollars (\$250,000.00) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the Unappropriated County General Fund as shown in Section 4 and by the reallocation of revenues as provided in Section 5.

Section 3. The following additional appropriations are hereby approved:

COUNTY SHERIFF

	County General Fund
50. Capital Outlay	\$250,000.00
	<hr/>
TOTAL INCREASES	\$250,000.00

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

	County General Fund
Unappropriated and Unencumbered County General Fund	\$250,000.00
	<hr/>
TOTAL REDUCTIONS	\$250,000.00

Section 5. The City-County Annual Budget for 1975 (City-County Fiscal Ordinance No. 42, 1974) be and is hereby further amended to appropriate and allocate the additional sum of Two hundred fifty thousand dollars (\$250,000.00) from the Revenue Sharing Trust Fund to the County General Fund and amending Section 7 of the Annual Budget by deleting in Paragraph (a) the words and figures "Three million seven hundred ninety-nine thousand five hundred ninety-nine dollars (\$3,799,599.00)" and inserting in lieu thereof the words and figures Four million forty-nine thousand five hundred ninety-nine dollars (\$4,049,599.00).

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

PROPOSAL NO. 88, 1975. The Council recessed to the Committee of the Whole at 9:49 p.m., and reconvened at 9:50 p.m. After public hearing, and following discussion, during which Councilman Clark spoke in favor of Proposal No. 88, 1975, Councilman Clark moved, seconded by Councilman Griffith that Proposal No. 88, be referred back to Committee and brought before Council at its next

meeting to be held March 17, 1975. The motion was carried by unanimous voice vote.

PROPOSAL NO. 89, 1975. The Council recessed to the Committee of the Whole at 9:51 p.m., and reconvened at 9:52 p.m. After public hearing, and following discussion, during which Councilman Cottingham spoke in favor of Proposal No. 89, 1975, was *passed* on the following roll call vote; viz: 22 Ayes: Mr. Boyd, Mr. Brown, Mr. Campbell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, and Mr. Tintera. 3 Noes: Mr. Cantwell, Mr. Gorham, and Mr. West. Mr. Bayt and Mr. Kimbell were out of Chambers. Proposal No. 89, 1975, was retitled Fiscal Ordinance No. 23, 1975, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1975

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional Two thousand two hundred eleven dollars and fifty cents (\$2,211.50) in the County General Fund for purposes of Superior Court Room 4 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 — of the City-County Annual Budget for 1975 be, and is hereby, amended by the increases and reductions hereinafter stated for the pur-

poses of providing for additional equipment and supplies for the Superior Court Room 4.

Section 2. The sum of Two thousand two hundred eleven dollars and fifty cents (\$2,211.50) be and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the Unappropriated County General Fund as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

SUPERIOR COURT ROOM 4

	County General Fund
22. Supplies	\$ 450.00
50. Capital Outlay	1,761.50
	<hr/>
TOTAL INCREASES	\$2,211.50

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

	County General Fund
Unappropriated and unencumbered County General Fund	\$2,211.50
	<hr/>
TOTAL REDUCTIONS	\$2,211.50

Section 5. This Ordinance shall be in full force and effect from and after adoption, following public hearing and approval by the State Board of Tax Commissioners.

PROPOSAL NO. 91, 1975. The Council recessed to the Committee of the Whole at 9:53 p.m., and reconvened at 9:54 p.m. After public hearing, and following discussion, during which Councilman Cottingham spoke regarding the Proposal, Councilman Cottingham moved, seconded by Councilman Griffith that Proposal No. 91, 1975, be stricken. The motion carried by voice vote.

PROPOSAL NO. 24, 1975. Councilman Cottingham moved, seconded by Councilman Tintera to remove Proposal No. 24, 1975, from the table. The motion carried by voice vote.

Councilman Dowden moved, seconded by Councilman Tintera that Proposal No. 24, 1975, be amended as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 24, 1975, as amended, be amended by striking out Community Service Program Fund where it appears and inserting in lieu thereof, the following:

County General Fund, and adding an additional Section to be numbered Section 5, as follows: Sec. 5. The Director of Administration is directed to take whatever action is necessary to fund the expenditures approved in Section 3, by contractual expenditures from the Community Service Program Fund, and renumber Section 5 as Section 6.

WILLIAM A. DOWDEN
Councilman

The motion was carried by unanimous voice vote.

Following further discussion, Councilman Dowden moved, seconded by Councilman Tintera that Proposal No. 24, 1975, be adopted. *PROPOSAL NO. 24, 1975, as amended*, was passed on the following roll call vote; viz: 24 Ayes: Mr. Boyd, Mr. Brown, Mr. Campbell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kim-

bell, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, and Mr. West. 2 Noes: Mr. Cantwell, and Mr. McPherson. Mr. Bayt was out of Chambers. Proposal No. 24, 1975, was retitled Fiscal Ordinance No. 19, 1975, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 1975

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1975 (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional Twelve thousand six hundred thirty-nine dollars (\$12,639.00) in the County General Fund for purposes of the Cooperative Extension Service 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 5 of the City-County Annual Budget for 1975 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of adding additional employees for the Cooperative Extension Service.

Section 2. The sum of Twelve thousand six hundred thirty-nine dollars (\$12,639.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

COOPERATIVE EXTENSION SERVICE

	County General Fund
10. Services Personal	\$12,639.00
TOTAL INCREASES	<hr/> \$12,639.00

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

	County General Fund
Unappropriated County General Fund	\$12,639.00
TOTAL REDUCTIONS	<hr/> \$12,639.00

Section 5. The Director of Administration is directed to take whatever action is necessary to fund the expenditures approved in Section 3 by contractual expenditures from the Community Service Program Fund.

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

SPECIAL ORDERS—FINAL ADOPTION

PROPOSAL NO. 85, 1975. Following discussion, during which Councilman Cottingham spoke in favor of Proposal No. 85, 1975, Proposal No. 85, 1975, was *passed* on the following roll call vote; viz: *25 Ayes:* Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tintera, and Mr. West. *No Noes.* Mr. Bayt, and Mr. Ruckelshaus were out of Chambers. Proposal No. 85, 17975, was retitled General Ordinance No. 44, 1975, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1975

A GENERAL ORDINANCE amending City-County General Ordi-

nance No. 39, 1974, to modify the salaries fixed for employees of Lawrence Township, Marion County, Indiana.

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

Section 1. Section 5 of City-County General Ordinance No. 39, 1974, be and the same is hereby, amended to revise the salaries and personnel for Poor Relief by striking the words and figures as indicated and inserting the figures in brackets, to-wit:

Number	Position	Annual Rate	Total
1	Asst. Clerk for J.P. (part time)	\$2,500 [\$4,800]	\$2,500 [\$4,800]

Section 2. The changes stated in Section 1 are approved in conformity to the actions of the Lawrence Township Advisory Board and shall be effective upon passage and approval by the Mayor. The Clerk shall certify a copy of this ordinance to the Lawrence Township Trustee.

PROPOSAL NO. 90, 1975. Following discussion, during which Councilman Cottingham spoke in favor of Proposal No. 90, 1975, Councilman Griffith moved, seconded by Councilman Tintera, that Proposal No. 90, 1975, be stricken. The motion carried by unanimous voice vote.

PROPOSAL NO. 395, 1975. Following discussion, during which Councilman Gorham spoke in favor of Proposal No. 395, 1975, Councilman Gorham moved, seconded by Councilman Gilmer to amend Proposal 395, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 395, 1974, be amended as follows:

In Section 3 of the ordinance, delete lines 7, 8, 11, and 12, lines 27 through 39 (being Section 301), lines 40 through 53 (being Section 302), lines 61 through 70 (being Section 304) and lines 71 through 85 (being Section 305); renumber the remaining sections in lines 9 and 13-26 consecutively; and renumber the remaining sections consecutively.

Section 319, delete the word Board in Line 269, and the Board Resolution or in Line 272.

JOE T. GORHAM
Councilman

Source Note: Amendment as adopted by the Transportation Committee 2-2-75.

The motion was carried by unanimous voice vote.

Following further discussion, *Proposal No. 395, 1975, as amended*, was passed on the following roll call vote; viz: *23 Ayes*: Mr. Boyd, Mr. Campbell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tintera, and Mr. West. *No Noes. 1 Abstention*: Mr. Cantwell. Mr. Bayt, and Mr. Ruckelshaus were out of Chambers, and Mr. Brown did not answer roll call to vote: Proposal No. 395, 1975, was retitled General Ordinance No. 39, 1975, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1975

A GENERAL ORDINANCE further amending the Municipal Code, 1951, of the City of Indianapolis, Indiana, as amended, more particularly Title 4, Traffic Code, Chapters 3 and 7. This ordinance

repeals two chapters in their entirety, and combines their contents within a single chapter to be enacted for the purpose of recodifying certain numerous existing ordinances.

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

Section 1. Title 4, Traffic Code be, and the same is hereby amended by the deletion of Chapter 3, TRAFFIC CONTROL DEVICES, and all attendant collateral ordinances applicable to this chapter, now in conflict.

Section 2. Title 4, Traffic Code be, and the same is hereby amended by the deletion of Chapter 7, SPECIAL STOPS REQUIRED AT CERTAIN STREETS, and all attendant collateral ordinances applicable to this chapter, now in conflict.

Section 3. Title 4, Traffic Code be, and the same is hereby amended by the addition of Chapter 3, INTERSECTION TRAFFIC CONTROLS, and all appurtenant sections, to-wit:

CHAPTER 3
INTERSECTION TRAFFIC-CONTROLS

Section

- 301. Responsibility for installation and maintenance of traffic control devices.
- 302. Schedule of intersection traffic controls.
- 303. Intersection traffic control devices.
- 304. Obedience to official traffic control devices.
- 305. When traffic control devices are required for enforcement purposes.
- 306. Legality of control devices.
- 307. Display of unauthorized signs
- 308. Interference with traffic control devices
- 309. Automatic traffic control signal device legend
- 310. Flashing Signal legend
- 311. Stop and yield sign at intersections
- 312. Establishment of preferential streets or roads.
- 313. Stop and Yield sign legend
- 314. Obedience to signal indicating approach of railroad train.
- 315. Effective date of intersection traffic-controls

301. Responsibility for Installation and Maintenance of Traffic Control Devices. It shall be the responsibility of the Department of Transportation of the Consolidated City to install, erect, and maintain all traffic control devices of any nature when may at any time be needed in order to inform motorists, pedestrians, and the general public of any rules of motor vehicle and/or pedestrian traffic established, pursuant to this chapter.

302. Schedule of Intersection Traffic Controls. The Department of Transportation shall furnish and maintain a complete, accurate and correct schedule of all intersection traffic controls at the office of the City Clerk and the same will be available for examination by any person. The schedule is divided into fifty-one geographical sections corresponding to the fifty-one standard Base Maps produced through the Department of Metropolitan Development. The schedule lists each intersection by name in alphabetical order; the preferential street and type of control, if any, and the latest effective date of inspection. The schedule appended to this ordinance is hereby declared to describe the intersection traffic rules and controls now in effect, and shall have the force of law until modified or amended as provided in this chapter.

303. Intersection Traffic-Control Devices. (1) The traffic-control devices installed at intersections may consist of, but are not necessarily limited to, the following types of equipment or markers; electrically operated automatic traffic signals; electrically operated automatic flashing beacons; electrically operated automatic pedestrian controllers; stationary octagonal stop signs; stationary triangular yield signs. (2) Other types of signs or devices which do not establish, limit, or modify the preference of one or more approaches to an intersection, but may be found at or near an intersection, such as signs regulating turning movements, restricting parking, speed or identifying special zones, refer to conditions found in distinctly separate chapters of this code. (3) All traffic-control signs, signals, and devices shall conform to the manual and specifications approved by the State Highway Commission of the State of Indiana. All signs and signals required and erected by the Department of Transportation, hereunder for a particular purpose shall, so far as practicable, be uniform as to the general type or method of operation throughout the County, but may be so located in visible positions as the Department of Transportation may determine. All traffic-control devices so erected and not inconsistent with the provisions of state law or this ordinance shall be official traffic-control devices.

304. Obedience to Official Traffic-Control Devices. Subject to

the exceptions provided in this Ordinance and unless otherwise directed by an Officer, the driver of any vehicle and all pedestrians shall obey the directions of any traffic-control device. If such traffic-control device is not functioning, the driver of any vehicle shall yield the right-of-way at that intersection to any other vehicle entering said intersection from his right side.

305. When Traffic-Control Devices Are Required for Enforcement Purposes. No provision of this Ordinance for which a traffic-control device is specifically required shall be enforced against an alleged violator if at the time and place of the alleged violation the traffic-control device is inoperable or is not in proper position and sufficiently legible to be seen by any ordinarily observant person. Any provision not specifically requiring a traffic-control device shall be effective and enforceable without the necessity of a traffic-control device.

306. Legality of Control Devices. Any traffic-control device placed and maintained at the direction of the Department of Transportation shall conform with the requirements of this Ordinance. All such traffic-control devices shall be consistent with State Law and are official traffic-control devices.

307. Display of Unauthorized Signs. No person shall place, maintain, or display upon or in view of any road any unauthorized sign, signal, marking, or device which is not authorized by the Transportation Board, or which purports to be an imitation of or resembles any traffic-control device or which attempts to direct the movement of traffic, which interferes with sight distance or hides from view or interferes with the effectiveness of any traffic-control device. No person shall place or maintain nor shall any public authority permit upon the Road any traffic-control device bearing thereon any commercial advertising. Nothing herein shall be held to authorize the display or use of any sign or device prohibited by any other law or ordinance. Nothing herein shall prohibit the erection upon private property adjacent to roads, signs giving useful directional information of a type that cannot be mistaken for official traffic-control devices.

308. Interference With Traffic-Control Devices. No person shall attempt to or in fact alter, deface, injure, knock-down, or remove any traffic-control device or any part thereof, or any official marking or sign on any Road.

309. Automatic Traffic-Control Signal Device Legend. Whenever traffic is controlled by traffic-control signals exhibiting different col-

ored lights successively, the following colors only shall be used and said terms and lights shall indicate and apply to drivers of all types of vehicles and pedestrians as follows:

309.1 Green Alone:

(a) Vehicular traffic facing the signal, except when prohibited under other Chapters of Title 4, may proceed straight through or turn right or left, unless a sign, or officer, at such place prohibits either or both such turns. However, vehicular traffic shall yield right-of-way to other vehicles and to pedestrians lawfully within a crosswalk at the intersection at the time such signal is exhibited.

309.2 Yellow or Amber: When shown with, or following the green signal:

(a) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in time or in safety, vehicle may be driven cautiously through the intersection.

(b) Pedestrians facing such signal are hereby advised that there is insufficient time to cross the road and any pedestrian then starting to cross shall either return to the sidewalk, or yield right-of-way to all vehicles.

309.3 Red Alone:

(a) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection, or at such other point as may be indicated by a clearly visible line or sign, or officer, and shall remain standing until green is shown alone, except where a right-turn movement is permitted or directed, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal.

(b) No pedestrian facing such signal shall enter the road after such sign is shown, or an officer so directs, but if then already in the road, he may proceed if he can do so safely and without interfering with any vehicular traffic.

309.4 Red With Green Arrow:

Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement in the direction indicated by such

arrow, but shall yield the right-of-way to pedestrians lawfully within a cross-walk and to other traffic.

309.5 In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable to vehicles and pedestrians, except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made at the signal.

310. Flashing Signal Legend. Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

310.1 Flashing Red. When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection. The right to proceed shall be subject to the rules applicable after stopping at a stop sign.

310.2 Flashing Yellow or Amber. When a yellow or amber lens is illuminated with rapid intermittent flashes, drivers of vehicles shall reduce their speed, and may proceed through the intersection or past such signal only with caution.

311. Stop and Yield Sign at Intersections. Through approved resolution by the Board and administrative implementation by the Department of Transportation stop or yield signs shall be placed and maintained at certain designated intersections and shown upon the Schedule of Intersection Traffic-Controls. The streets forming intersections may be either preferential or other than preferential, and the Board shall determine whether vehicles shall stop or yield at one or more approaches to any such intersections.

312. Establishment of Preferential Streets or Roads. Stop and yield signs may establish, interrupt, or eliminate the preference of one or all approaches to an intersection. Exact determination of preference of each approach at any single intersection is established in the Schedule of Intersection Traffic-Controls. Non-preferential streets or roads will always be marked with a control device which indicates stop or yield.

313. Stop and Yield Sign Legend. Every stop and yield sign

shall be erected and located in accordance with the manual and specifications approved by the Indiana State Highway Commission.

313.1 Action of Vehicle Upon Approaching a Stop Sign. When stop signs are erected every driver shall stop at such sign or at a clearly marked stop line before entering the intersection except when directed otherwise by an Officer or traffic control signal and shall enter the intersection only when it is safe to do so.

313.2 Action of Vehicle Upon Approaching a Yield Sign. The driver of the vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions or shall stop if necessary and shall yield the right-of-way to any pedestrian crossing the road and to any vehicle in the intersection or approaching on another road so closely as to constitute an immediate hazard. Said driver having so yielded, may proceed and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding; provided, however, that if such driver is involved in a collision with a pedestrian at a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right-of-way.

313.3 Emerging From Alley or Private Driveway. Any driver emerging from an alley, driveway, lot or building into a road shall stop such vehicle immediately prior to driving upon the sidewalk extending across any alley or driveway yielding the right-of-way to any pedestrian, and upon entering the roadway of the road, shall yield the right-of-way to all vehicles approaching in either direction on said Roadway.

313.4 Stop When Traffic Obstructed. No driver shall enter at an intersection or a marked crosswalk unless there is sufficient space the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians notwithstanding any traffic control device.

314. Obedience To Signal Indicating Approach of Railroad Train. Whenever any driver approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet, but not less than ten feet, from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when: (1) A clearly visible electric or mechanical signal device gives warning of the pres-

ent approach or passage of a railroad train. (2) A crossing gate is lowered, or a human flagman gives or continues to give a signal to stop indicating thereby the approach or passage of a railroad train. (3) A railroad train approaching within fifteen hundred feet of the road crossing emits a signal audible from such distance, and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard. (4) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing. No person shall drive any vehicle through, around or under any crossing gate at a railroad grade crossing while such gate is lowered across the roadway, or is in process of being lowered or raised or do so while any barrier, or sign bars passage and indicates a stop. No pedestrian shall cross any railroad when any barrier, sign or gate indicates a stop.

315. Effective Date of Intersection Traffic-Controls. The effective date of the traffic-control for each intersection described in the Schedule of Intersection Traffic-Controls appended hereto shall be as designated in such Schedule. Subsequent changes through Council action shall be effective upon compliance with all requirements of law and of this Ordinance and completion of installation of proper traffic-control devices, unless a later date is specified by the Council Ordinance making such change.

Section 4. This amendment shall be subject to the penalties as provided in Title 1, Chapter 1-601 of the Municipal Code, 1951, of the City of Indianapolis, Indiana, as amended.

Section 5. This Ordinance will be in full force and effect from and after its adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

PROPOSAL NOS. 21, 22, and 62, 1975. By consent, Proposal Nos. 21, 22, and 62, 1975, were considered together. Following discussion, during which Councilman Gorham spoke in favor of the Proposals, Proposal Nos. 21, 22, and 62, 1975 were *passed* on the following roll call vote; viz: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr.

Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tintera, and Mr. West. 0 Noes: Mr. Bayt and Mr. Ruckelshaus were out of Chambers. Proposal Nos. 21, 22, and 62, 1975, were retitled General Ordinance Nos. 40, 41, and 43, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1975

A GENERAL ORDINANCE further amending the Municipal Code, 1951 of the City of Indianapolis, Indiana, as amended, and more particularly TITLE 4—TRAFFIC CODE, CHAPTERS 4 & 8 and SECTIONS — thereof, Establishing A Speed Limit And Restricting Parking Near 10th Street and Mitthoefer Road., establishing regulations, providing penalties, and fixing a time when the same shall take effect.

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

Section 1. Title 4, Chapter 4, Section 403 thereof, Alteration of Prima Facie Speed Limits be, and the same is hereby amended by the ADDITION of the following, to-wit:

Street	From	To	Speed
Mitthoefer Rd.	Penn-Central R.R.	10th St.	35 mph
10th Street	Mitthoefer Rd.	German Church Rd.	35 mph

Section 2. Title 4, Chapter 8, Section 812 thereof, Parking, Prohibited At All Times On Certain Streets be, and the same is hereby amended by the ADDITION of the following, to-wit:

Street	Side	From	To
Mitthoefer Rd.	Both	Penn-Central R.R.	Greenbrook Trail
10th Street	Both	Hatheway Drive	German Church Rd.

Section 3. This amendment shall be subject to the penalties as provided in TITLE 1, CHAPTER 1-601 of the Municipal Code, 1951 of the City of Indianapolis, Indiana, as amended.

Section 4. This Ordinance will be in full force and effect from and after its adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

CITY-COUNTY GENERAL ORDINANCE NO. 41, 1975

A GENERAL ORDINANCE further amending the Municipal Code, 1951 of the City of Indianapolis, Indiana, as amended, and more particularly TITLE 4—TRAFFIC CODE, CHAPTER 8, and SECTION 812 thereof, Restricting Parking In The Vicinity of St. Francis Hospital, establishing regulations, providing penalties, and fixing a time when the same shall take effect.

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

Section 1. Title 4, Chapter 8, Section 812 thereof, Parking Prohibited At All Times On Certain Streets be, and the same is hereby amended by the ADDITION of the following, to-wit:

Street	Side	From	To
Troy Avenue	Both	13th Street	18th Street
Sherman Drive	Both	Main Street	Cleveland St.
Churchman Avenue	Both	Sherman Drive	18th Street

Section 2. This amendment shall be subject to the penalties as provided in TITLE 1, CHAPTER 1-601 of the Municipal Code, 1951 of the City of Indianapolis, Indiana, as amended.

Section 3. This Ordinance will be in full force and effect from and after its adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1975

A GENERAL ORDINANCE further amending the Municipal Code, 1951 of the City of Indianapolis, Indiana, as amended, and more particularly TITLE 4—TRAFFIC CODE, CHAPTER 10, and SECTION 1001 thereof, Permitting commercial loading zone, establishing regulations, providing penalties, and fixing a time when the same shall take effect.

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

Section 1. Title 4, Chapter 10, Section 1001(6) thereof, Passenger and material loading zones-permits (6) established be, and the same is hereby amended by the ADDITION of the following, to-wit:

Number	Length	Location
430	50 feet	14 W. Maryland Street Indiana News Co., Inc.

Section 2. This amendment shall be subject to the penalties as provided in TITLE 1, CHAPTER 1-601 of the Municipal Code, 1951 of the City of Indianapolis, Indiana, as amended.

Section 3. This Ordinance will be in full force and effect from and after its adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

PROPOSAL NO. 20, 1975. Following discussion, during which Councilman Gorham spoke regarding Proposal No. 20, 1975, Councilman Gorham moved, seconded by Councilman Griffith that Proposal No. 20, be referred back to Committee. The motion carried by voice vote.

PROPOSAL NO. 61, 1975. Following discussion, during which Councilman Gorham spoke in favor of Proposal No. 61, Councilman Gorham moved, seconded by Councilman Tintera to amend Proposal No. 61, 1975, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 61, 1975, be amended as follows:

Strike said proposal as introduced and substitute therefor the draft entitled Proposal No. 61, 1975, As Amended.

JOE T. GORHAM
Councilman

Source: Recommendation of Transportation Board and action by Transportation Committee.

The motion was carried by unanimous voice vote.

Following further discussion, *Proposal No. 61, 1975, as amended*, was passed on the following roll call vote; viz: 25 Ayes: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tintera, and Mr. West. No Noes. Mr. Bayt and Mr. Ruckelshaus were out of Chambers. Proposal No. 61, 1975, was retitled General Ordinance No. 42, 1975, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1975

A GENERAL ORDINANCE further amending the Municipal Code, 1951 of the City of Indianapolis, Indiana, as amended, and more particularly TITLE 4—TRAFFIC CODE, CHAPTER 8 & 9, and SECTIONS THEREOF, restricting parking on E. Market Street at the Market Square Sports Arena, creating a short term metered parking zone, establishing regulations providing penalties, and fixing a time when the same shall take effect.

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

Section 1. Title 4, Chapter 8, Section 814.1 thereof, Parking, Stopping or Standing Prohibited Any and All Times on Certain Designated Streets be, and the same is hereby amended by the ADDITION of the following, to-wit:

Street	Side of Street	From	To
E. Market St.	North	N. Alabama St.	N. New Jersey St.
E. Market St.	South	N. Alabama St. N. New Jersey St.	East 114 feet St. West 114 feet

Section 2. Title 4, Chapter 8 is hereby amended by the ADDITION of the following, to-wit:

841 (b) Parking, Stopping or Standing Prohibited Between The Hours of 6:00 P.M. To 9:00 A.M., inclusive, on Certain Designated Street. It shall be unlawful for the owner, driver or operator of any vehicle to park or stop the same, or to permit the same to be parked or to stand at any time between the hours of 6:00 o'clock P.M. and 9:00 o'clock A.M., inclusive, on any day of the week, upon any of the following designated Roads or parts thereof within the boundaries of the consolidated City-County of Indianapolis Marion County, to-wit:

Street	Side of Street	From	To
A portion of E. Market St. 230 feet in Length	South	114 feet East of N. Alabama St.	114 feet West of N. Jersey St.

Section 3. Title 4, Chapter 9, is hereby amended by the ADDITION of the following, to-wit:

906 (b) Fifteen minute Parking Meter Zones. Fifteen minute parking meter spaces, or zones, are hereby created and established in and along the following Street in the City to allow short term parking in a restricted zone between the hours of 9:00 o'clock A.M. and 6:00 o'clock P.M., at a cost of five cents, to-wit:

Street	Side of Street	From	To
A portion of E. Market St. 230 feet in Length	South	114 feet East of N. Alabama St.	114 feet West of N. Jersey St.

Section 4. This amendment shall be subject to the penalties as provided in TITLE 1, CHAPTER 1-601 of the Municipal Code, 1951 of the City of Indianapolis, Indiana, as amended.

Section 5. This Ordinance will be in full force and effect from and after its adoption by the Council, approval by the Mayor, and compliance will all laws pertaining thereto.

PROPOSAL NO. 446, 1974. Following discussion, during which Councilman Clark spoke regarding Proposal No. 446, 1974, Councilman Clark moved, seconded by Councilman Gorham that Proposal No. 446, 1974, be tabled until the next meeting of the City-County Council to be held March 17, 1975. The motion carried by voice vote.

PROPOSAL NOS. 95-98, 1975. No action was taken Proposal Nos. 95-98, 1975, Proposal Nos. 95-98, 1975, were retitled Rezoning Ordinances 15-18, 1975, and read as follows:

R. O. No. 15, 1975—14-Z-23—Proposal No. 95—

PIKE TOWNSHIP, COUNCILMANIC DISTRICT NO. 1,
3001-3401 WEST 86TH STREET, INDIANAPOLIS

Century Development Company by Ivan Chalfe, Partner c/o Sidney D. Eskenazi, 2220 North Meridain St. requests rezoning of 9.66 acres, being in A-2 district, to C-1 classification to provide for an office complex with bank and restaurant.

R. O. No. 16, 1975—74-Z-150—Proposal No. 96—

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT NO.
2, 5210 NORTH MICHIGAN ROAD, INDIANAPOLIS

Witherspoon United Presbyterian Church by James W. Beatty,

Attorney, 500 Union Federal Building requests rezoning of 0.50 acre, being in DS district, to SU-1 classification to provide for a Day Care Center.

R. O. No. 17, 1975—74-Z-198—Proposal No. 97—

PIKE TOWNSHIP, COUNCILMANIC DISTRICTS No. 1 & 8,
INDIANAPOLIS

Metropolitan Development Commission by F. Ross Vogelgesang, Administrator Division of Planning & Zoning, 2041 City-County Building requests rezoning of various tracts of land, being in A-2 and C-4 districts, to D-1, D-2, D-3 and D-4 classifications to permit single and two-family residences, as designated on maps on file.

R. O. No. 18, 1975—75-Z-12—Proposal No. 98—

WARREN TOWNSHIP, COUNCILMANIC DISTRICT NO. 12,
20TH PLACE, 20TH AND 21ST STREETS, INDIANAPOLIS

The Metropolitan Development Commission by F. Ross Vogelgesang, Administrator, Division of Planning & Zoning, 2041 City-County Building requests rezoning of lots between 20th Street and 20th Place, east of Spencer Avenue, being in C-1 district, to D-4 classification and lots between 20th Place and 21st Street, west of Ritter Avenue, being in C-2 district, to D-5 classification to permit one and two-family dwellings, as per maps on file.

PROPOSAL NOS. 100-107, 1975. No action was taken on Proposal Nos. 100-107, 1975. Proposal Nos. 100-107, 1975, were retitled Rezoning Ordinances 19-26, 1975, and read as follows:

R. O. No. 19, 1975—75-Z-3—Proposal No. 100—

PIKE TOWNSHIP, COUNCILMANIC DISTRICT NO. 1,
5501 WEST 52ND STREET, INDIANAPOLIS

Lake County Trust Co. by Lodestar Enterprises, Inc. by James R. Nickels, Attorney, One Indiana Square No. 2050 requests re-

zoning of 6.01 acres, being in I-2-S district, to SU-16 classification to provide for an amusement center.

R. O. No. 20, 1975—75-Z-5—Proposal No. 101—

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT NO. 25,
SOUTH FOLTZ AVENUE, INDIANAPOLIS

William and Virginia Patterson, J.C. and Ruby Hadley and Mary Gambel by Lester Irons, Attorney, 1313 Merchants Bank Building request rezoning of 7.93 acres, being in A-2 and SU-16 districts, to D-3 classification to provide for residential use by platting.

R. O. No. 21, 1975—75-Z-10—Proposal No. 102—

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT NO. 19,
1201 SOUTH GIRLS SCHOOL ROAD, INDIANAPOLIS

HVSB Partnership by Randolph H. Stokely, General Partner by William A. Freihofer, Attorney, 805 Union Title Building requests rezoning of 4.99 acres, being in D-6 II district, to C-3 classification to provide for commercial development.

R. O. No. 22, 1975—75-Z-11—Proposal No. 103—

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT NO. 19,
1351 SOUTH GIRLS SCHOOL ROAD, INDIANAPOLIS

HVSB Partnership by Randolph H. Stokely, General Partner by William A. Freihofer, Attorney, 805 Union Title Building requests rezoning of 27.60 acres, being in D-6 II district, to I-2-S classification to provide for industrial use.

R. O. No. 23, 1975—75-Z-13—Proposal No. 104—

PERRY TOWNSHIP, COUNCILMANIC DISTRICT NO. 25,
9001 BLUFF ROAD, INDIANAPOLIS

Charles Stewart by Edward W. Arens, Jr., Agent R.R. 1, Box 135-A, Bargersville, Indiana by J. Scott Barratt, Attorney, 120 East Market St. requests rezoning of 0.49 acre, being in A-2 district, to C-3 classification to provide for a gasoline service station.

R. O. No. 24, 1975—75-Z-20—Proposal No. 105—

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT NO. 7, 5272 CRESTVIEW AVENUE, INDIANAPOLIS

Indianapolis Power & Light Company by Marcus E. Woods, Secretary, 25 Monument Circle requests rezoning of 2.58 acres being in I-4-U and D-8 districts, to SU-18 classification to provide for an electric substation.

R. O. No. 25, 1975—75-Z-22—Proposal No. 106—

PERRY TOWNSHIP, COUNCILMANIC DISTRICT NO. 20, 833 EAST SUMNER AVENUE, INDIANAPOLIS

Kennedy Tank and Manufacturing Co., Inc. by William E. Kennedy, Jr., Pres. by Arthur J. Sullivan, Attorney, 312 Union Federal Building requests rezoning of 9.48 acres, being in I-3-U district, to I-5-U classification to provide for continued industrial manufacturing with outside storage.

R. O. No. 26, 1975—75-Z-32—Proposal No. 107—

PIKE TOWNSHIP, COUNCILMANIC DISTRICT NO. 1, 8602-9600 ZIONSVILLE ROAD, INDIANAPOLIS

The Dow Chemical Company by William F. LeMond, Attorney, 412 Union Federal Building requests rezoning of 212.30 acres to I-4-S classification to permit an Industrial Park and 68.19 acres to C-S classification for commercial development, being in I-2-S and A-2 districts.

ADJOURNMENT

Upon motion duly made by Councilman Tintera, seconded by Councilman Hawkins, the meeting adjourned at 10:20 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

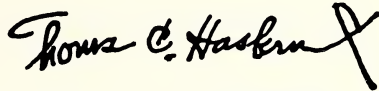
March 3, 1975]

Indianapolis, Marion Co., Ind.

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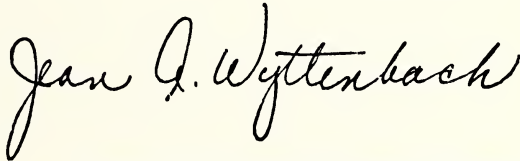
at its Regular Meeting on the 3rd day of March, 1975.

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)