

## SPECIAL MEETING CITY-COUNTY COUNCIL

Monday, September 22, 1975  
7:30 P.M.

A postponed Regular Meeting of the City-County Council of Indianapolis, Marion County convened in Council Chambers of the City-County Building at 7:30 p.m., Monday, September 8, 1975. President SerVaas in the chair. Councilman Schneider opened the meeting with a prayer, followed by the Pledge of Allegiance.

### ROLL CALL

President SerVaas instructed the Clerk to take the roll. Twenty-seven members being present, he announced a quorum. *Present:* Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. *Absent:* Mr. Bayt and Mr. Ruckelshaus. (Mr. Gilmer was considered present because he was out of town conducting Council matters.)

### SPECIAL NOTICES

President SerVaas instructed the Clerk to read any pertinent Special Notices. The Clerk read the following:

**NOTICE OF SPECIAL MEETING**

You are hereby notified that there will be a **SPECIAL MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on September 22, 1975, at 7:00 p.m., the purposes of such **SPECIAL MEETING** being to receive communications from the City-County Officials, introduce new Proposals, consider for final action any proposals, eligible for passage, and to conduct any and all other business requiring the attention of the Council at this time.

Respectfully,

Beurt SerVaas, President  
City-County Council

**CORRECTION OF JOURNAL**

President SerVaas called for additions or corrections to the Journal for September 8, 1975, as distributed. There being no additions or corrections to the minutes of September 8, 1975, the minutes stand approved, as distributed.

**OFFICIAL COMMUNICATIONS**

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

September 8, 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. 91, 1975, adopting the City-County Annual Budget for 1976, appropriating all amounts necessary to defray expenses for the operation of every facet of consolidated government of the City of*

Indianapolis and Marion County for the calendar and fiscal year beginning January 1, 1976, and ending December 31, 1976, and allocating receipts and establishing the method of financing such expenses.

*FISCAL ORDINANCE NO. 92, 1975*, levying taxes and fixing the rate of taxation for the purpose of raising revenue to meet the necessary expenses of Indianapolis and Marion County Government and its institutions for the calendar year 1976.

*GENERAL RESOLUTION NO. 8, 1975*, reviewing and modifying the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of said Municipal Corporation for the fiscal year beginning January 1, 1976, and fixing a time when this resolution shall take effect.

*GENERAL RESOLUTION NO. 9, 1975*, reviewing and modifying the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board of Marion County, Indiana and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of said Library Board for the fiscal year beginning January 1, 1976, and ending December 31, 1976, and fixing a time when this resolution shall take effect.

*GENERAL RESOLUTION NO. 10, 1975*, reviewing, modifying, and approving the operating budget of the Capital Improvements Board of Managers of Marion County, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of the said Board of Managers for the fiscal year beginning January 1, 1976, and ending December 31, 1976, and fixing a time when this resolution shall take effect.

*GENERAL RESOLUTION NO. 11, 1975*, reviewing and modifying the operation and maintenance budget and tax levies of the Indianapolis Airport Authority District of Indianapolis, Indiana, and establishing the appropriations for the purpose of defraying the expenses and all outstanding claims and obligations of said Municipal Corporation for the fiscal year beginning January 1, 1976, and ending December 31, 1976, and fixing a time when this resolution shall take effect.

On September 13, 1975, I approved with my signature and delivered to the Clerk, Mrs. Jean A. Wyttenbach, the following City-County Ordinances.

*FISCAL ORDINANCE NO. 93, 1975*, amending the City-County Annual Budget for 1975 and appropriating an additional \$850,000.00 in

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

*GENERAL ORDINANCE NO. 136, 1975*, amending Title 4, Chapter 3, Section 306 thereof, assigning preference at an uncontrolled suburban intersection, establishing regulations, providing penalties, and fixing a time when the same shall take effect.

*GENERAL ORDINANCE NO. 137, 1975*, amending Title 4, Chapter 3, Section 306 thereof, assigning preference at two uncontrolled intersections, establishing regulations, providing penalties, and fixing a time when the same shall take effect.

*GENERAL ORDINANCE NO. 138, 1975*, amending Title 4, Chapter 4, 6, and 8, and sections thereof, striking General Ordinance No. 105, 1975 and redefining the parking, speed limits and one-way travel on newly constructed Missouri and West Streets.

*GENERAL ORDINANCE NO. 139, 1975*, amending the Code, 1951, and more particularly Title 4, Chapters 3, 4, 6, 8, and 10, and sections thereof, regulating traffic movement, speed and parking on the newly constructed roadways near 10th st. and Massachusetts.

Respectfully,

RICHARD G. LUGAR  
Mayor

RGL/vlw

September 22, 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 September 12, 1975, and September 19, 1975, a "Notice to Taxpayers", of a public hearing on Proposal Nos. 366, 367, 369, 370, 373, 381, 1975, to be held on Monday, September 22, 1975, at 7:00 p.m., in the Council Chambers of the City-County Building.

I also caused to be published in the Indianapolis Commercial and the Indianapolis News on September 18, 1975, and September 25, 1975, General Ordinance Nos. 136, 137, 138, 139, 1975.

Respectfully,

JEAN A. WYTTENBACH  
City Clerk

/vlw

September 22, 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 published in the Indianapolis News and the Indianapolis Commercial on September 15, 1975, a "Notice of Special Meeting" of the City-County Council on Monday, September 22, 1975, at 7:00 p.m., in the City-County Building.

Respectfully,

JEAN A. WYTTENBACH  
City Clerk

/vlw

### PRESENTATION OF PETITIONS

President SerVaas called for any business that might be handled under Presentation of Petitions.

**PROPOSAL NO. 393, 1975.** Councilman Dowden read the Proposal and moved, seconded by Councilman Gorham that Proposal No. 393, 1975, be adopted. The Proposal for a Special Resolution commending Michael D. McDaniel, was passed by unanimous voice vote. Proposal No. 393, 1975, was retitled Special Resolution No. 17, 1975, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 17, 1975

A SPECIAL RESOLUTION commending Michael D. McDaniel



WHEREAS, Michael D. McDaniel served faithfully for a year as Research Research Director of the City-County Council; and

WHEREAS, Michael D. McDaniel also served as a summer intern for the Council prior to his appointment as Research Director; and

WHEREAS, Michael D. McDaniel has been staunch supporter of the Council and the City Administration in the past and will continue to be in his new position with the Indiana General Assembly; and

WHEREAS, Michael D. McDaniel has been involved in various phases of Marion County Republican Party work, including serving as Marion County Coordinator for "Youth for Lugar" in the 1974 Senate Campaign, and currently serving as Chairman of the Marion County Young Republicans; now, therefore:

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

Section 1. The City-County Council, on behalf of all of its members and its staff, would like to thank Mike McDaniel for his fourteen months of dedicated service to the Council.

Section 2. The City-County Council extends to Mike best wishes in his new position as Administrative Assistant to the President Pro Tem of the Indiana Senate.

Section 3. The Mayor of the City of Indianapolis is invited to join in the expression of this resolution by affixing his signature hereto.

Section 4. The Clerk of the City-County Council is hereby instructed to suitably inscribe a copy of this resolution for delivery to Mike McDaniel.

## INTRODUCTION OF PROPOSALS

*PROPOSAL NOS. 384, 385, 1975.* Introduced by Councilman West. The Clerk read the Proposal entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Plan Commission on September 18, 1975;" and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

*PROPOSAL NO. 386, 1975.* Introduced by Council-

man Kimbell. The Clerk read the Proposal entitled: "A Proposal for a General Ordinance enlarging the boundaries of the Fire Special Service District of the City of Indianapolis, amending the "Code of Indianapolis and Marion County, 1970," and fixing a time when the same shall be effective;" and the President referred it to the Public Safety and Criminal Justice Committee.

*PROPOSAL NO. 387, 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 Twenty thousand dollars (\$20,000) in the County General Fund for purposes of the Marion County Home and reducing certain other appropriations for that agency;" and the President referred it to the County and Townships Committee.

*PROPOSAL NO. 388, 1975.* Introduced by Councilman Kimbell. 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 Municipal Court;" and the President referred it to the Public Safety and Criminal Justice Committee.

*PROPOSAL NO. 389, 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

Thirty-three thousand dollars (\$33,000) in the Sanitary District Fund for purposes of the Sanitation Division, Department of Public Works and reducing certain other appropriations for that division;" and the President referred it to the Public Works Committee.

*PROPOSAL NO. 390, 1975.* Introduced by Councilman Giffin. The Clerk read the Proposal entitled: "A Proposal for a Special Ordinance changing the name of a certain street in Marion County, Indiana;" and the President referred it to the Metropolitan Development Committee.

*PROPOSAL NO. 391, 1975.* Introduced by Councilman Kimbell. The Clerk read the Proposal entitled: "A Proposal for a General Ordinance providing special parking privileges to certain handicapped persons, providing certain procedures for use of such privileges, fixing penalties for violations, and repealing Section 4-1522 of the Municipal Code of 1951;" and the President referred it to the Transportation Committee.

*PROPOSAL NO. 392, 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 appropriating an additional Eight hundred ninety-six dollars (\$896) in the County General Fund for purposes of Criminal Court, Division 3, and reducing certain other appropriations for that court;" and the President referred it to the Public Safety and Criminal Justice Committee.



## SPECIAL ORDERS—PUBLIC HEARING

President SerVaas called for Proposals eligible for public hearing. Members of the public were invited to be heard on Proposals eligible for public hearing.

*PROPOSAL NO. 381, 1975.* President SerVaas urged Petitioners and Remonstrators to step forth and speak on behalf of Proposal No. 381, 1975. Councilman Boyd served as timekeeper for thirty minute intervals in order for Petitioners and Remonstrators to have equal speaking privileges. The Council recessed to the Committee of the Whole at 7:41 p.m., and reconvened at 8:08 p.m., in order for Mr. William F. LeMond, Atty., to speak for the Petitioners. Mr. LeMond called upon Mr. Gordon Mess, Architect, to distribute copies of Fire Training literature to Councilmen and to help with his presentation of screen view grafts. Mr. LeMond had a fire fighting demonstration given by a member of the department and presented to the Clerk of the Council a list of 1,086 verified names of Petitioners in support of the Wayne Township Fire Department Training Center, letters from concerned citizens and a list of 119 multi-storied buildings in Wayne Township, all of said documents to remain in City-County Council official files for future reference.

President SerVaas then called upon Mr. James A. Buck, Atty., for the Remonstrators. The Council recessed to the Committee of the Whole at 8:09 p.m., and reconvened at 8:36 p.m., during which Mr. Buck presented photos indicating the limited 20 foot width of High School Road and West Ohio Street. Mr. Buck called upon Mr. Rex Bolton to present photos of the

Dayton Fire Tower and inform the Council of hazards involved. Mr. Buck presented the following citizens to speak on behalf of remonstrations of the Wayne Township Fire Department Training Center:

Mr. Borden Crews, Realtor, 2719 East 56th Street  
Mr. John Kendall, Branch Manager, Indiana Nat'l  
Bank

7329 Rockville Road

Mr. Luther Searfoss, 6309 West Market Street  
Mrs. W.C. Hohn, 118 North Brandt Street  
E. & B. Shears, 6521 West Ohio Street  
Percy Seall, 6479 West Walton Street  
Mrs. V.N. McDaniel, 185 Merrimac Place  
Mr. Robert Gray, 6336 West Ohio Street

The Council recessed to the Committee of the Whole at 8:37 p.m., and reconvened at 8:40 p.m., in order for Mr. LeMond to finish the remainder of his 30 minutes in a 3 minute rebuttal.

The Council then recessed to the Committee of the Whole at 8:41 p.m., and reconvened at 8:44 p.m., for Mr. Buck to be granted the remainder of his 30 minutes in a 3 minute rebuttal.

Councilman Cottingham called upon Mrs. Joretta White, Division of Planning and Zoning, City of Indianapolis, to offer staff opinion and to answer any pending questions that City-County Councilmen might wish clarification of.

Following further discussion, Councilman Griffith moved, seconded by Councilman Clark to amend Proposal No. 381, 1975, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I Move that City-County Council Proposal No. 381, 1975, be amended as follows:

To prohibit outside burning, be it tanker fires or surface burning of any type to burn freely out of doors, without pollution controls devices.

DONALD GRIFFITH,  
Councilman

The *motion to amend Proposal No. 381, 1975*, was passed on the following roll call vote; viz: *26 Ayes*: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. *No Noes*.

After considerable debate, Councilman Boyd moved, seconded by Councilman Gorham the Previous Question on the main motion. The motion was carried by voice vote.

The Question being called on the adoption of the Proposal and by Statute 20 votes being required for its defeat, *Proposal No. 381, 1975, as amended*, was passed on the following roll call vote; viz: *12 Ayes*: Mr. Boyd, Mr. Brown, Mrs. Chandler, Mr. Clark, Mr. Dowden, Mr. Giffin, Mr. Gorham, Mr. Miller, Mr. Patterson, Mr. Schneider, Mr. Tinder and Mr. Tintera. *14 Noes*: Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mr. Cottingham, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Griffith,

Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Robbins, Mr. SerVaas and Mr. West. Proposal No. 381, 1975, as amended, was retitled Rezoning Ordinance No. 92, 1975, and reads as follows:

REZONING ORDINANCE NO. 92, 1975, AS AMENDED 75-Z-107

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #18,  
6460 WEST OHIO STREET, INDIANAPOLIS

Wayne Township Trustee of Marion County, Indiana by Richard L. Hadley, Trustee by Wayne Township Fire Department, Inc. by Harold E. Stofer, Secy-Treas. by William F. LeMond, Attorney, 412 Union Federal Bldg. requests rezoning of 16.30 acres, being in SU and A-2 districts, to SU-9 classification to permit a Fire Training Academy, existing fire station and central headquarters of the Wayne Township Fire Department.

President SerVaas recessed Council at 9:30 p.m., for a five minute break in order for the Auditorium to clear and reconvened the meeting at 9:35 p.m.

*PROPOSAL NO. 373, 1975.* President SerVaas called upon Mr. Harold J. Egenes, Director, Department of Metropolitan Development to answer any questions pertaining to Proposal No. 373, 1975. Following discussion, Council recessed to the Committee of the Whole at 10:01 p.m., in order for members of the public to speak and reconvened at 10:02 p.m. After public hearing, and following discussion, during which Councilman Clark spoke regarding the Proposal Councilman Clark moved, seconded by Councilman Robbins that *Proposal No. 373, 1975, be postponed* until the next meeting of Council scheduled to be held on October 6, 1975.

The motion to postpone was carried by unanimous voice vote.



*PROPOSAL NO. 353, 1975.* The Council recessed to the Committee of the Whole at 10:05 p.m., and reconvened at 10:06 p.m. After public hearing, and following discussion, during which Councilman Cottingham spoke regarding the Proposal, Councilman Cottingham moved, seconded by Councilman Gorham that *Proposal No. 353, 1975*, be *postponed* until the meeting of Council to be held on October 20, 1975.

The motion to postpone was carried by unanimous voice vote.

*PROPOSAL NO. 366, 1975.* No Public Hearing was held on Proposal No. 366, 1975, at the suggestion of Committee members. Councilman Griffith moved, seconded by Councilman Cottingham that *Proposal No. 366, 1975*, be *postponed* until the next meeting of Council to be held on October 6, 1975.

The motion to postpone was carried by unanimous voice vote.

*PROPOSAL NO. 367, 1975.* The Council recessed to the Committee of the Whole at 10:10 p.m., and reconvened at 10:15 p.m. After public hearing, and following discussion, during which Mr. Don Cashen and Councilman Clark spoke regarding the Proposal, Councilman Clark moved, seconded by Councilman Tintera to amend Proposal No. 367, 1975, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 367, 1975, be amended as follows:

Striking the words or figures "One hundred forty-nine thousand eight



hundred sixty-four (\$149,864)" each time they appear and inserting in lieu thereof the words and figures: "one hundred forty-seven thousand three hundred fifty-seven (\$147,357)"

RICHARD F. CLARK  
Councilman

The motion to amend was carried by unanimous voice vote.

Following further discussion, *Proposal No. 367, 1975, as amended*, was passed on the following roll call vote; viz: *18 Ayes*: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Caplinger, Mrs. Chandler, Mr. Clark, Mr. Durnil, Mrs. Gibson, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. *6 Noes*: Mr. Cantwell, Mr. Dowden, Mr. Elmore, Mr. Gorham, Mr. McPherson, and Mr. Schneider. (Mr. Cottingham and Mr. Giffin abstained from voting.) *Proposal No. 367, 1975, as amended*, was retitled *Fiscal Ordinance No. 94, 1975*, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 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 forty-seven thousand three hundred fifty-seven dollars and twenty-two cents in the City General Fund for purposes of the office of Youth Development, Department of Administration, and reducing the unappropriated and unencumbered balance in the City 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 3 of the City-County Annual Budget for 1975 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of appropriating the revenues from certain grants from the Department of Health, Education, and Welfare,

Law Enforcement Administration, and the Indiana Criminal Justice Planning Agency.

Section 2. The sum of One hundred forty-seven thousand three hundred fifty-seven dollars and twenty-two cents be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

Section 3. The following additional appropriation are hereby approved:

DEPARTMENT OF ADMINISTRATION	
Office of Youth Development	CITY GENERAL FUND
21. Services Contractual	\$147,357.22
	<hr/>
TOTAL INCREASES	\$147,357.22

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

	CITY GENERAL FUND
Unappropriated and Unencumbered City General Fund	\$147,357.22
	<hr/>
TOTAL REDUCTIONS	\$147,357.22

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 Stated Board of Tax Commissioners.

*PROPOSAL NO. 369, 1975.* The Council recessed to the Committee of the Whole at 10:20 p.m., and reconvened at 10:21 p.m. After public hearing, and following discussion, during which Councilman Kimbell spoke regarding the Proposal, Councilman Boyd moved, seconded by Councilman Robbins to *postpone Proposal No. 369, 1975*, until the meeting of Council to be held on October 6, 1975.

The motion to postpone was carried by voice vote.

*PROPOSAL NO. 370, 1975.* The Council recessed to the Committee of the Whole at 10:23 p.m., and reconvened at 10:25 p.m. After public hearing, and following discussion, during which Councilman Clark spoke regarding the Proposal, Griffith moved, seconded by Councilman Kimbell that *Proposal No. 370, 1975, be postponed* until the next meeting of Council scheduled to be held on October 6, 1975.

The *motion to postpone Proposal No. 370, 1975, was passed* on the following roll call vote; viz: *17 Ayes:* Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Schneider, Mr. SerVaas, Mr. Tinder, and Mr. West. *6 Noes:* Mr. Clark, Mr. Durnil, Mr. Miller, Mr. Patterson, Mr. Robbins and Mr. Tintera. (Mr. Brown, Mr. Caplinger and Mr. Giffin abstained from voting.)

At this point, Councilman Giffin was excused and left Council Chambers.

### **SPECIAL ORDERS—UNFINISHED BUSINESS**

President SerVaas called for any Proposals eligible to be heard under Special Orders—Unfinished Business.

*PROPOSAL NO. 193, 1975, FOURTH REVISION—AS AMENDED.* Following discussion, during which Councilman West and Deputy Mayor Michael Carroll spoke regarding the Proposal, *Proposal No. 193, 1975, Fourth Revision—As Amended, failed* to pass on roll call vote of 12-13. (Due to machinery mechanical error, no roll call vote count sheet was dispensed.) (Clerk's Note:

Proposal No. 193, 1975, Fourth Revision—As Amended, was reconsidered later in the Council meeting and passed by a roll call count of 15-10 and is listed on Page 7 of the minutes.)

*PROPOSAL NO. 312, 1975.* Following discussion, during which Councilman West spoke regarding the Proposal, Councilman West moved, seconded by Councilman Cantwell to amend Proposal No. 312, 1975, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 312, 1975, be amended as follows:

By substituting a revised Exhibit A with the words "and planning" stricken from the third line of the third "WHEREAS" clause and from the fifth line of Section 1.

STEPHEN R. WEST,  
Councilman

/ch

The motion to amend was carried by a unanimous voice vote.

Following Council discussion, Councilman West moved, seconded by Councilman Cantwell to *further amend Proposal No. 312, 1975, as amended*, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 312, 1975, be amended as follows:

By substituting a revised Exhibit "A"

Delete the word "*broaden*" and insert in lieu thereof the word "*limit*."

STEPHEN R. WEST,  
Councilman

Councilman Griffith moved, seconded by Councilman Tintera the Previous Question on the amendment.

The motion was carried by unanimous voice vote.

Councilman Griffith then moved, seconded by Councilman Tintera the Previous Question on the main motion.

The motion was carried by unanimous voice vote.

The Question being called on the adoption of Proposal No. 312, 1975, as amended, *Proposal No. 312, 1975, as amended*, was passed on the following roll call vote; viz: *15 Ayes*: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Cottingham, Mr. Durnil, Mr. Griffith, Mr. Kimbell, Mr. Patterson, Mr. Robbins, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. *10 Noes*: Mr. Caplinger, Mr. Clark, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Gorham, Mr. Hawkins, Mr. McPherson, Mr. Miller and Mr. Schneider. Proposal No. 312, 1975, as amended, was retitled General Resolution No. 14, 1975, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 14, 1975

A GENERAL RESOLUTION approving certain amendments to the agreement establishing the "Indiana Heartland Coordinating Commission" and authorizing the Mayor, on behalf of the City, to execute such amended agreement.

WHEREAS, pursuant to City-County General Resolution No. 22, 1972, the City of Indianapolis became a party, pursuant to the Interlocal



Cooperation Act, of an agreement whereby the Indiana Heartland Coordination Commission was formed; and

WHEREAS, during the period of its operation the Commission has recommended certain changes be made in the agreement by which it exists: and

WHEREAS, the City-County Council of the City of Indianapolis and Marion County now finds that such changes are appropriate; now, therefore:

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

Section 1. The Mayor of the City of Indianapolis be, and is hereby, authorized to execute the amended agreement establishing the Indiana Heartland Corrdination Commission in the terms and language set forth in the "Amended Agreement For Formation and Operation of a Multi-Jurisdictional Corrdinating Commission" a copy of which is attached hereto to Exhibit "A".

#### SECOND AMENDED VERSION

#### AMENDED AGREEMENT FOR FORMATION AND OPERATION OF A MULTI-JURISDICTIONAL COORDINATING COMMISSION

THIS AMENDED AGREEMENT made and entered into by and between the Counties, Cities and Towns of the State of Indiana which have become parties to this agreement,

#### WITNESSETH:

WHEREAS, the parties hereto have formed the INDIANA HEARTLAND COORDINATING COMMISSION, (IHCC), A Multi-Jurisdictional Coordinating Commission, as a legal entity under and pursuant to I.C. 1971, 18-5-1, commonly known as the Interlocal Cooperation Act; and

WHEREAS, the sole original purpose of IHCC was to function as an Area-Wide Planning Organization, (APO), as defined by the Department of Housing and Urban Development, (HUD), and the Environmental Protection Agency, (EPA), of the United States; and to serve a similar role in the future with regard to other Federal agencies; and

WHEREAS, the parties hereto desire to limit the function and role of IHCC to provide intergovernmental and multi-jurisdictional planning and coordination, and to provide technical assistance for the members of IHCC, within guidelines established by the Commission, and only upon the request of the affected locality.

NOW, THEREFORE, for and in consideration of the agreements herein contained and set forth, the parties hereto do hereby amend the original "Agreement For Formation And Operation Of A Multi-Jurisdictional Coordinating Commission" which established the INDIANA HEARTLAND COORDINATING COMMISSION and do hereby agree as follows:

1. *PURPOSE.* The purpose of this agreement is to provide comprehensive multi-jurisdictional planning necessary for IHCC to be certified as the APO within the specified Areawide Planning Jurisdiction (APJ); to provide inter-governmental and multi-jurisdictional planning and coordination; and to provide technical assistance to the members hereof.

reognition of the sovereign status of all member units is a paramount concern of this Agreement and nothing contained herein shall authorize IHCC to intervene in matters which are within the local jurisdiction of any member unit, nor shall IHCC exercise any powers in local planning jurisdiction, zoning controls, or subdivision procedures.

2. *ORGANIZATION.* Principal member units of IHCC shall include at least two or more of the following governmental units: Boonie County, Hamilton County, Hancock County, Shelby County, Johnson County, Morgan County, Hendricks County, and the City of Indianapolis. In addition, IHCC shall be open for associate membership to all cities and towns within the APJ.

Members may be admitted into IHCC at any time following signature of the agreement by the unit as authorized by a resolution of the legislative body of the new member.

3. *MEMBERSHIP.* Each county in the APJ shall be entitled to a maximum of three voting Representative which shall include two elected officials and one citizen member.

Representatives shall be appointed as follows:

(a) Except in the case of Indianapolis, each principal member shall name, by ordinance of the Board of County Commissioners, an elected official from the county as a Representative and one citizen Representative. Said ordinance shall also prescribe the terms of office, appointment procedure, and qualifications of the Representative. In the event a County which is eligible to be a principal member has not become a member, then in lieu of the provisions hereof for appointment of Representatives, associate members from within such county shall have the right to appoint a maximum of two (2) Representatives. In the event only one municipality from within such a county joins, then it shall appoint one Representative; if two municipalities join, each shall appoint one Representative; and if more than two municipalities join, the largest

municipality shall have the right to appoint one Representative and the other municipalities shall jointly appoint one Representative. If associate members have already selected Representatives and the county then joins the Commission, the county's right to appoint the two (2) Representatives, as set out above, shall revert to the county; provided, however, the incumbent Representatives shall continue in office until the end of the calendar year.

(b) Except in the case of Indianapolis, the third Representative from each County shall be an elected official from said county and shall be selected jointly by agents of the several associate members from said county. Said Representative shall be elected at the Commission's annual reorganizational meeting. If no associate member has joined IHCC from a county, the principal member shall name the second elected official to represent municipalities of the county.

(c) The three (3) representatives of the City of Indianapolis shall be appointed by the Mayor, upon authorization by ordinance of the City-County Council, which will also prescribe the terms of office, appointment procedure and qualifications of its members, which shall include one citizen and two elected officials. Inasmuch as the Department of Metropolitan Development of the City of Indianapolis is the legally constituted planning authority for all of Marion County, the jurisdiction of the City of Indianapolis shall be deemed to be all of Marion County.

Any associated member which does not have a Representative residing within its territorial jurisdiction shall have the right to appoint a Delegate to the Commission. Delegates shall be appointed in the same manner as Representatives and shall have all rights, privileges and duties of Representatives, except the right to vote. A Delegate may serve as a proxy for a Representative.

Before appointing citizen representatives, the appointing authority may request that list of qualified citizen candidates for appointment be submitted by Soil and Conservation Districts and Planning Commission of member units.

4. *VOTING RIGHTS.* The following provisions shall govern voting on all matters not otherwise provided for herein:

(a) A majority of the Representative shall constitute a quorum. Delegates shall not be counted in determining a quorum.

(b) Action of the Commission shall require a majority vote of the Representatives except on any matter relating to approval or comment on an application for Federal grants or funding, in which case action of the Commission shall require a majority vote of those present and voting.

(c) Action of the Commission which involves specific recommendation for agreement between two or more participating units shall require unanimous agreement of the participating units as well as a majority vote of the Commission.

(d) Action by any principal member having more than one representative shall require the vote of a majority of the representatives from said member.

(e) On any matter relating to IHCC approval or comment on an application for Federal grants or funding, notwithstanding the provisions of paragraph 4(b), any representative or Delegate from the member from whose jurisdiction the application emanates shall have the right to request a per capita vote, in which case each member shall cast a number of votes equal to the population of said member as determined by the last preceding Federal decennial census. A per capita vote shall require a majority of the per capita votes cast to constitute affirmative action. Per capita voting shall be applicable only on the issue of approval or comment on applications for Federal grants of funding.

(f) Any representative may designate a proxy, except for purposes of voting on the budget or amending this agreement.

5. *POWERS AND DUTIES.* In order to carry out the purposes of this Agreement, IHCC shall have the power and duty to:

(a) Adopt by-laws and rules of procedure for its own government and management.

(b) Keep complete financial records pertaining to the programs and activities contemplated by this agreement, including the contributions of the parties hereto, together with a complete record of all expenditures and disbursements made for or on behalf of the activities and programs contemplated by this Agreement.

(c) Keep a permanent record of all its proceedings and shall, in all respects comply with the general laws regulating the conduct of public agencies and applicable to the State of Indiana and the Federal government.

(d) Prepare annual report of activities and an annual financial report which shall be distributed to the parties hereto and made available to the general public.

(e) Perform such planning functions as are deemed to be necessary by the IHCC to meet the requirements to an Area-wide Planning Organization with the applicable Federal guidelines, and as are consistent with the stated purposes set forth in paragraph number 1.



- (f) Employ such personnel, acquire such property and enter into such contracts as are necessary to implement this Agreement.
- (g) Receive bequests or grants from the Federal government, the State of Indiana, its departments, agencies or instrumentalities, and from any private sources.
- (h) Have such other powers necessary to carry out the purposes of this Agreement.

6. *APJ.* The area of planning jurisdiction of IHCC shall include the following counties: Boone, Hamilton, Hancock, Shelby, Johnson, Morgan, Hendricks, and Marion.

7. *AMENDMENTS.* Amendments to this agreement shall require unanimous consent of the principal member units in addition to the three-quarters vote of representatives of the entire Commission. Any amendment to this agreement shall be submitted in writing to each representative at least thirty (30) days prior to the meeting at which such amendment is to be voted upon.

8. *WITHDRAWAL.* Any member of the Commission may withdraw its membership by resolution duly adopted by its governing body and upon giving three (3) months written notice of withdrawal. Financial obligations previously agreed to by the withdrawing member shall continue until the end of the budget year in which said withdrawal occurs notwithstanding said withdrawal. Withdrawal of a member shall not terminate this agreement.

9. *TERMINATION.* In the event there is a complete termination of this agreement which would involve the disposition of its properties, the property shall be liquidated and each principal member shall be entitled to an equal share of the proceeds.

10. *OFFICERS.* The officers of IHCC shall consist of a president, one or more vice-presidents, a secretary and a treasurer, who shall perform the duties usually pertaining to their respective offices, together with such other duties as may be from time to time assigned to them. All officers shall be elected from the duly appointed Representatives.

The officers shall be elected at the annual fall meeting and shall hold office for a term of one (1) year or until their respective successors are elected and qualified.

11. *STAFF.* IHCC shall appoint an Executive Director and such other staff as is necessary to carry out the administrative and technical functions of IHCC, all to serve at the pleasure of the IHCC. The Executive Director shall be responsible for coordinating all staff and consultant services for the Commission, preparing and administrating the annual work program and



budget, subject to the approval of the IHCC, and performing all other duties delegated to him by the Commission.

12. *COMMITTEES.* IHCC may establish such advisory groups and committees it deems necessary to assist in carrying out its purposes and functions and shall authorize and define the scope of responsibilities of all committees and citizen advisory groups and shall provide for the selection of a chairman.

13. *BUDGET.* Annually commencing with the year 1972, IHCC shall approve a proposed annual administrative budget for the ensuing year. Monies to be received by IHCC from any source shall be estimated and incorporated into the annual budget. All member units shall contribute to said administrative budget their share of cost apportioned among said units on a per capita basis. Population figures utilized shall be those of the last preceding Federal decennial census. Any member unit which fails to appropriate or pay its allocated share of the IHCC budget shall be subject to expulsion, in the manner as may be provided by rules of the IHCC.

The obligation of each member unit to contribute to the budget of the IHCC shall be contingent upon the appropriation therefor by the governing body of such member unit, in accordance with applicable law.

14. *DEPOSITS AND DISBURSEMENTS.* The disbursement of all funds shall be upon such written warrant, voucher, requisition or claim as may be required by law and properly executed by the person or persons required by law. The Executive Director shall endorse his written approval upon every such warrant, voucher, requisition or claim before presentation for payment.

All funds from every source whatsoever received shall be deposited in the account of IHCC and disbursed only by authorization of IHCC for programs and activities of IHCC. In the event any member or representative at any time shall have reason to believe that any monies are not being deposited as herein provided, immediate notice thereof shall be given to each of the parties hereto.

All receipts and disbursements made pursuant to this Agreement shall at all times be in full compliance with the regulations of the State Board of Accounts of Indiana and of the Federal agencies; the laws of the State of Indiana and the United States.

15. *STAFF QUALIFICATIONS.* The Executive Director shall be qualified for his position by his training and experience as a professional planner with special skills in public administration and local affairs. The Executive Director shall recommend employment of such other personnel as are necessary to carry out the purposes of the Commission.

All personnel shall be eligible for participation in the State Public

Employees Retirement program; and, shall be eligible for such other benefits as are provided by the Commission.

16. *PERSONAL PROPERTY.* IHCC may acquire such personal property as is necessary to carry out its functions and as provided for in its appropriated budget. No real property may be acquired.

17. *TERM.* This agreement shall be in effect for an initial term of one year from the effective date and shall continue thereafter from year to year without the necessity of a formal renewal by any party hereto, unless terminated as herein provided.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed and their signatures to be affixed as of this \_\_\_\_ day of \_\_\_\_\_ 197\_\_\_\_.

\_\_\_\_\_  
*PRESIDENT*  
*BOARD OF COUNTY*  
*COMMISSIONERS*  
\_\_\_\_\_  
COUNTY, INDIANA

*MAYOR*  
*CITY OF* \_\_\_\_\_  
\_\_\_\_\_

*PROPOSAL NO. 193, 1975, FOURTH REVISION—AS AMENDED.* Due to the equipment problem that occurred earlier in Council and by consent, Proposal No. 193, 1975, was again laid upon the table to be voted upon in order for vote count sheets to be available in Council official files. *Proposal No. 193, 1975, Fourth Revision—As Amended,* was passed on the following roll call vote; viz: 15 Ayes: Mr. Brown, Mr. Caplinger, Mr. Cottingham, Mr. Durnil, Mrs. Gibson, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. 10 Noes: Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Chandler, Mr. Clark, Mr. Dowden, Mr. Elmore, Mr. Gorham, Mr. McPherson and Mr. Schneider. Proposal No. 193, 1975, Fourth Revision—As Amended, was retitled General Resolution No. 13, 1975, and reads as follows:

## CITY-COUNTY GENERAL RESOLUTION NO. 13, 1975

A GENERAL RESOLUTION approving a "Capital Improvements Budget for 1976-1977" for Marion County, the Consolidated City of Indianapolis, and certain other municipal corporations located in Marion County, whose budgets are subject to review by the City-County Council, prohibiting capital improvement expenditures except in accordance with the priorities established in said Capital Improvements Budget, and establishing procedures for implementation of budget control in accordance therewith.

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 approve the "Capital Improvements Budget for 1976-1977" (Exhibit A) as amended by the Council Committee Reports (Exhibit B) for the City of Indianapolis and Marion County and for all those governmental agencies the budgeting or financing of which is subject to review by the City-County Council; the said "Capital Improvements Budget for 1976-77", as amended, being the documents attached hereto marked Exhibits A and B and incorporated into this resolution by reference.

Section 2. Officers and agencies subject to this resolution are authorized to make expenditures for "capital improvements" (capital improvements being defined as stated on Page 20 of Exhibit A) only on projects authorized by this resolution. In the event that any agency wishes to modify the priorities, authorized expenditures, or anticipated revenue sources as stated in said Capital Improvements Budget, such changes or modifications shall be accomplished only by action of the City-County Council.

Section 3. This Resolution shall be deemed to establish policy guidelines for City-County Council decisions on capital outlay and property expenditures in the City-County Annual Budget for 1976 and all specific projects and expenditures proposed for 1976 shall be authorized in accordance with priorities established in said capital improvements budget.

Section 4. Beginning January 1, 1976, no expenditure of appropriations approved for capital outlays or properties which involves an expenditure for a "capital improvement" (as defined as Page 20, Exhibit A) shall be made until approved and certified by the appropriate fiscal officer as a priority identified in the Capital Improvements Budget for 1976-77 and within the appropriation authorized in the Annual Budget for 1976.

Section 5. The Division of Planning and Zoning of the Department of Metropolitan Development shall report not less frequently than quarterly to the Council as to approved capital expenditures and encumbrances therefor. To effectuate the preparation of accurate reports the appropriate executive

office of each agency subject to this resolution shall file with the Division of Planning and Zoning such data as said Division deems necessary. Such data shall be certified as correct by the appropriate fiscal officer of the agency and furnished at such times and in such form as the Division may establish. The report to the Council shall as a minimum indicate capital expenditures and encumbrances therefor by priority classifications and the unencumbered balances of any appropriation which may be used for capital expenditures.

Section 6. The Division of Planning and Zoning shall begin preparation of the "Capital Improvement Budget 1977/1978" as such document shall be known by this or similar title in the last quarter of 1975 for subsequent approval by the City-County Council prior to June 30, 1976. Preparation of the document shall require and receive full cooperation of those governmental agencies the budgeting or financing of which are subject to review by the City-County Council. The document, as presented to the Council, shall include a complete listing of all capital expenditures proposed for 1977 which were submitted to the Division of Planning and Zoning.

Section 7. Notwithstanding any other provision of this resolution any capital project approved, but not funded in a prior year, shall not be considered approved for future years unless contained in the subsequent Capital Improvement Budget.

Section 8. This Resolution shall be in full force and effect from and after adoption and approval by the Mayor.

*PROPOSAL NO. 364, 1975, As Amended.* Following discussion, during which Councilman West spoke regarding Proposal No. 364, 1975, as amended, Councilman Tintera moved, seconded by Councilman Gorham the Previous Question on adoption of the Proposal.

The motion was carried by unanimous voice vote.

The Question being called on the adoption of Proposal No. 364, 1975, as amended, *Proposal No. 364, 1975, as amended* was passed on the following roll call vote; viz: 17 Ayes: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mrs. Chandler, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mrs. Gibson, Mr. Hawkins, Mr.



Kimbell, Mr. McPherson, Mr. Patterson, Mr. SerVaas, Mr. Tinder and Mr. Tintera. 7 Noes: Mr. Clark, Mr. Cottingham, Mr. Gorham, Mr. Griffith, Mr. Miller, Mr. Robbins and Mr. West. (Mr. Schneider abstained from voting.) Proposal No. 364, 1975, as amended, was retitled General Ordinance No. 141, 1975, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 141, 1975

A GENERAL ORDINANCE, disannexing certain territory of the City of Indianapolis in order that it may be annexed to the City of Beech Grove.

WHEREAS, more than 51% of the owners of certain real estate in the City of Indianapolis, Marion County, Indiana, have petitioned and requested that the territory hereinafter described be transferred from the City of Indianapolis to the City of Beech Grove by the concurrent actions of the City-County Council disannexing such territory and the Common Council of the City of Beech Grove annexing such territory; and

WHEREAS, the City-County Council determines that such transfer of territory is in the best interests of both cities; now, therefore:

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

Section 1. Pursuant to Section 1501 of the Consolidated Cities and Counties Act (Indiana Code 18-4-15-1) the following described territory be, on condition that it be annexed by the City of Beech Grove, and is hereby disannexed from the Consolidated City of Indianapolis, to-wit:

Part of the South One-half of the West One-half of the Southeast Quarter of Seciton 16, Township 15 North, Range 4 East in Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at a point in the South line of said half/half/quarter section distant East 400 feet of the Southwest corner thereof; thence North, parallel to the West line of said half/half quarter section 175 feet; thence West, parallel to said South line 400.0 feet to a point in said West line; thence North, in and along said West line 452.0 feet to a point in Bean Creek; then Easterly 596.01 feet to a point in said Bean Creek distant North 603.0 feet of said South line; thence South, parallel to said West line 428.0 feet; thence West, parallel to said South line 96.0 feet; thence South, parallel to said West line 175.0 feet to a point in said South line; thence West, in and along said South line 100.0 feet to the place of beginning.

EXCEPT (1) that part of the above described real estate conveyed to the Mass



Transportation Authority of Greater Indianapolis by Deed of Conveyance dated October 26, 1970, recorded January 4, 1971 as Instrument No. 71-063 in the Office of the Recorder of Marion County, Indiana; and

(2) As revised by Deed of Conveyance dated August 23, 1971, recorded October 8, 1971 as Instrument No. 71-55023 of the Recorder's Office of Marion County, Indiana.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and upon the adoption by the City of Beech Grove, Indiana, of an ordinance annexing the above described territory to that City.

At this point, Councilwoman Gibson was excused and left Council Chambers.

### SPECIAL ORDERS—FINAL ADOPTION

President SerVaas called for any Proposals eligible to be heard under Special Orders—Final Adoption.

*PROPOSAL NO. 345, 1975.* Following discussion, during which Councilman Kimbell spoke regarding the Proposal, Proposal No. 345, 1975, was *passed* on the following roll call vote; viz: *21 Ayes:* Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Caplinger, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. *No Noes.* (Mr. Elmore, Mr. Gorham and Mr. Griffith abstained from voting.) Proposal No. 345, 1975, was retitled Fiscal Ordinance No. 95, 1975, and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 95, 1975

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1975 (City-County Fiscal Ordinance No. 42, 1974) and

appropriating an additional Seven thousand four hundred sixty dollars (\$7,460.00) in the County General Fund for purposes of Criminal Court Probation Dept. and reducing certain other appropriations for that office.

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 paying for the increase in office space and alterations.

Section 2. The sum of Seven thousand four hundred sixty dollars (\$7,460.00) 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:

CRIMINAL COURT PROBATION	COUNTY GENERAL FUND
21. Services Contractual	\$7,460.00
	<hr/>
TOTAL INCREASES	\$7,460.00

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

CRIMINAL COURT PROBATION	COUNTY GENERAL FUND
10. Services Personal	\$7,460.00
	<hr/>
TOTAL REDUCTIONS	\$7,460.00

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

*PROPOSAL NO. 352, 1975.* Following discussion, during which Mr. Kimbell spoke regarding the Proposal, *Proposal No. 352, 1975*, was passed on the following roll call vote; viz: *21 Ayes*: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Caplinger,

Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Griffith, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. *No Noes.* (Mr. Elmore, Mr. Gorham, and Mr. Hawkins abstained from voting.) Proposal No. 352, 1975, was retitled Fiscal Ordinance No. 96, 1975, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 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 thousand dollars (\$100,000) in the County General Fund for purposes of the County Jail and reducing certain other appropriations for that Department.

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 the County Police Pension.

Section 2. The sum of One hundred thousand dollars (\$100,000.00) 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:

COUNTY JAIL	COUNTY GENERAL FUND
25. Current Obligations	\$100,000.00
TOTAL INCREASES	\$100,000.00

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

COUNTY JAIL	COUNTY GENERAL FUND
10. Services Personal	\$100,000.00
TOTAL REDUCTIONS	\$100,000.00

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

At this point, Councilman Cantwell was excused and left Council Chambers.

*PROPOSAL NO. 354, 1975. Following discussion, during which Councilman Kimbell and Lt. Ron Chappell spoke regarding the Proposal, Proposal No. 354, 1975, was passed on the following roll call vote; viz: 22 Ayes: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Caplinger, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. No Noes. (Mr. Gorham abstained from voting.) Proposal No. 354, 1975, was retitled Fiscal Ordinance No. 97, 1975, and reads as follows:*

CITY-COUNTY FISCAL ORDINANCE NO. 97, 1975

▲ FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1975, (City-County Fiscal Ordinance No. 42, 1974) and appropriating an additional One thousand dollars (\$1,000.00) in the County General Fund for purposes of the County Sheriff (Civil) and reducing certain other appropriations for that office.

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 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 the County Sheriff's Civil Office.

Section 2. The sum of One thousand (\$1,000.00) 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:

COUNTY SHERIFF	COUNTY GENERAL FUND
21. Contractual Services	\$600.00
22. Supplies	400.00
	<hr/>
TOTAL INCREASES	\$1,000.00

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

COUNTY SHERIFF	COUNTY GENERAL FUND
24. Current Charges	\$1,000.00
TOTAL REDUCTIONS	\$1,000.00

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

*PROPOSAL NO. 365, 1975.* Following discussion, during which Councilman Griffith spoke regarding the Proposal, *Proposal No. 365, 1975*, was passed on the following roll call vote; viz; *22 Ayes*: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Caplinger, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Tinder, Mr. Tintera and Mr. West. *No. Noes.* (Mr. Gorham abstained from voting.) Proposal No. 365, 1975, was retitled General Ordinance No. 142, 1975, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 142, 1975

A GENERAL ORDINANCE amending the MUNICIPAL CODE OF INDIANAPOLIS, 1951, as amended, and more particularly Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, providing penalties, and fixing a time when the same shall take effect.

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



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:

STREET	SIDE	FROM	TO	DISTRICT
Villa Avenue	West	Walker Avenue	Bean Creek	23

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

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

*PROPOSAL NO. 368, 1975.* Following discussion, during which Councilman Kimbell spoke regarding the Proposal, *Proposal No. 368, 1975*, was passed on the following roll call vote; viz: *22 Ayes*: Mr. Boyd, Mr. Brown, Mr. Campbell, Mr. Caplinger, Mrs. Chandler, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Elmore, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Robbins, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. *No Noes*. (Mr. Gorham abstained from voting.) *Proposal No. 368, 1975*, was retitled *Fiscal Ordinance No. 98, 1975*, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 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 dollars (\$200.00) in the County General Fund for purposes of the Juvenile Center and reducing certain other appropriations for that department.

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

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget Section 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 purchasing a new ice machine.

Section 2. The sum of Two hundred dollars (\$200.00) 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:

JUVENILE CENTER	COUNTY GENERAL FUND
50. Properties	\$200.00
	<hr/>
TOTAL INCREASES	\$200.00

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

JUVENILE CENTER	COUNTY GENERAL FUND
24. Current Charges	\$200.00
	<hr/>
TOTAL REDUCTIONS	\$200.00

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

*PROPOSAL NO. 371, 1975.* Following discussion, during which Councilman Tintera spoke regarding the Proposal, Councilman Tintera moved, seconded by Councilman Boyd that *Proposal No. 371, 1975*, be *postponed* until the next scheduled meeting of Council to be held on October 6, 1975.

The motion to postpone was carried by unanimous voice vote.

*PROPOSAL NO. 384, 1975.* Following discussion, during which Councilman Caplinger spoke regarding the Proposal, Councilman Caplinger moved, seconded by Councilman Tintera that Proposal No. 384, 1975, be held

for a Public Hearing before the full City-County Council at its next meeting on October 6, 1975, and reads as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that the City-County Council do hold, a further public hearing of Proposal No. 384, 1975, entitled "A Proposal for a REZONING ORDINANCE" as certified by the Metropolitan Development Commission as Docket No. 75-Z-88 that the Council do hereby schedule the same for a public hearing before the full City-County Council at its next regular meeting on October 6, 1975, at 7:00 PM, or as soon thereafter as the same may be heard; and that the Clerk be and is hereby instructed to cause the proper legal notices of such hearings to be given.

DON K. CAPLINGER

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Councilman

The motion for a public hearing was carried by unanimous voice vote.

*PROPOSAL NO. 385, 1975.* No action was taken on Proposal No. 385, 1975. Proposal No. 385, 1975, was retitled Rezoning Ordinance No. 93, 1975, and reads as follows:

REZONING ORDINANCE NO. 93, 1975

R.O. #93, 1975 75-Z101

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #15,  
1505 MASSACHUSETTS AVENUE, INDIANAPOLIS

Charles C. Brandt Co., Inc. by William C. Brandt, President, 1505 Massachusetts Avenue requests rezoning of 0.75 acre, being in D-8 district, to C-7 classification to permit commercial development.

ADJOURNMENT

Upon motion duly made by Councilman Tintera, seconded by Councilman Clark, the meeting adjourned

at 11:25 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 22nd, day of September, 1975.

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



ATTEST:

*President*



(SEAL)

*Clerk of the City-County Council*