

**POSTPONED REGULAR MEETING  
CITY-COUNTY COUNCIL  
Monday, March 8, 1976**

A Postponed Regular Meeting of the City-County Council of Indianapolis, Marion County convened in Council Chambers of the City-County Building at 7:05 p.m., Monday, March 8, 1976. President SerVaas in the chair. Councilman Anderson opened the meeting with a prayer, followed by the Pledge of Allegiance.

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

*PRESENT: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mrs. Hart, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

**CALL FOR POSTPONED REGULAR MEETING**

The President called for the reading of Special Notices and the Clerk read the following:

**TO THE MEMBERS OF THE CITY-COUNTY COUNCIL  
OF INDIANAPOLIS-MARION COUNTY:**

**Ladies and Gentlemen:**

You are hereby notified that there will be a **POSTPONED REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers on **March 8, 1976, at 7:00 p.m.**, the purpose of such **MEETING** being to conduct any and all business that may properly come before a regular meeting of the Council.

**Respectfully,**

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

**CORRECTION OF JOURNAL**

President SerVaas called for additions or corrections to the Journal for February 23, 1976, as distributed. There being no additions or corrections, the minutes were approved, as distributed.

**OFFICIAL COMMUNICATIONS**

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

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News and the Indianapolis Commercial on February 27, 1976, and March 5, 1976, a "Notice to Taxpayers" on Proposal Nos. 64, 85, 97, 102, 103, 104, 105, and 106, 1976; and "Notice of Public Hearing on Zoning" on Proposal No. 98, 99, and 100, 1976, for a Public Hearing to be held on Monday, March 8, 1976, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

February 26, 1976

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

Ladies and Gentlemen:

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

GENERAL RESOLUTION NO. 2, 1976 approving the annexation and incorporation of additional territory into the Solid Waste Special Service District of the Consolidated City of Indianapolis.

GENERAL RESOLUTION NO. 3, 1976 approving the annexation and incorporation of additional territory into the Indianapolis Sanitary District.

GENERAL ORDINANCE NO. 6, 1976 amending the Code of Indianapolis and Marion County, Indiana, 1975, and more particularly Section 29-92, assigning preference at certain street intersections in the Westside Chapel Hill area, including several unnamed interior frontage or access roads known locally as "inner roads."

GENERAL ORDINANCE NO. 23, 1976 amending the Code of Indianapolis and Marion County, Indiana, and more particularly Section 29-92 thereof, establishing preference at several uncontrolled residential intersections on the suburban southside, establishing regulations, providing penalties, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 24, 1976 amending the Code of Indianapolis and Marion County, Indiana, and more particularly Chapter 29, Traffic and Motor Vehicles; altering the preference at two recently reconstructed intersections.

GENERAL ORDINANCE NO. 25, 1976 amending the Code of Indianapolis and Marion County and more particularly Chapter 29, Traffic and Motor Vehicles; removing an unwarranted automatic signal from an intersection, assigning preference of right-of-way.

GENERAL ORDINANCE NO. 26, 1976 amending the Code of Indianapolis and Marion County, Indiana, and more particularly Chapter 29, Traffic and Motor Vehicles, modifying controls and preference in a recently reconstructed intersection near I-70.

GENERAL ORDINANCE NO. 27, 1976 amending the Code of Indianapolis and Marion County, Indiana, and more particularly Chapter 29, Traffic and Motor Vehicles; assigning preference with traffic controls of two suburban residential intersections.

**GENERAL ORDINANCE NO. 28, 1976** amending the Code of Indianapolis and Marion County, Indiana, and more particularly Chapter 29, Traffic and Motor Vehicles; assigning preference at several uncontrolled suburban residential intersections.

**GENERAL ORDINANCE NO. 29, 1976** amending the Code of Indianapolis and Marion County, Indiana, 1975, and more particularly Chapter 29, Traffic and Motor Vehicles; assigning preference at several uncontrolled residential intersections.

**GENERAL ORDINANCE NO. 30, 1976** amending the Code of Indianapolis and Marion County, Indiana, and more particularly Chapter 29, Traffic and Motor Vehicles; removing afternoon parking prohibition from a portion of Senate Avenue near the Convention Center.

**GENERAL ORDINANCE NO. 31, 1976** amending the Code of Indianapolis and Marion County, Indiana, and more particularly Chapter 29, Traffic and Motor Vehicles; modifying the left turn restrictions at the intersection of Meridian Street and Raymond Street.

Respectfully,

s/William H. Hudnut, III Mayor

January 19, 1976

Mr. Robert G. Elrod  
Attorney at Law  
803 First Federal Bldg.  
Indianapolis, Indiana 46204

Re: 8524 East Washington  
St., Petition for Annexation  
of property, YEM Development  
Company, petitioner

Dear Bob:

Last November I filed a Petition for Annexation of the above property to the Fire Special Service District of the City of Indianapolis, I received the findings of the Division of Planning and Zoning dated December 18, 1975.

This is a room in a shopping center, and the purpose of the annexation was to accommodate a tenant who intended to open a package liquor store. However, the proposed tenant has indicated that he is not going to lease the premises, and we therefore wish to withdraw our Petition for Annexation.

I would appreciate an acknowledgement from someone that this proposed ordinance has been withdrawn from consideration by the Council. Thank you.

Very truly yours,

ESKENAZI, MITCHELL, YOSHA & HURST

Irwin J. Prince

### INTRODUCTION OF GUESTS

Councilman Howard introduced Mr. Gerald Christian of the Methadone Clinic and Mr. Nyofu Elmore.

## INTRODUCTION OF PROPOSALS

Proposal No. 107, 1976. Introduced by Councilman Miller, The Clerk read the Proposal entitled; "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana, 1975' and more particularly Chapter 29, Traffic and Motor Vehicles, establishing a commercial loading zone for Budnick's Trading Mart, establishing regulations, providing penalties, and fixing a time when the same shall take effect;" and the President referred it to the Transportation Committee.

Proposal No. 109, 1976. Introduced by Councilman Bayt. The Clerk read the Proposal entitled; "A Proposal for a General Ordinance further amending the 'Code of Indianapolis and Marion County, Indiana,' and more particularly, Chapter 29, establishing regulations, providing penalties, and fixing a time when the same shall take effect;" and the President referred it to the Transportation Committee.

Proposal No. 110, 1976. Introduced by Councilman Miller. The Clerk read the Proposal entitled; "A Proposal for a General Resolution approving the actions of the Transportation Board with respect to certain capital improvements within the Metropolitan Thoroughfare District;" and the President referred it to the Transportation Committee.

Proposal No. 111, 1976. Introduced by Councilman Tinder. The Clerk read the Proposal entitled; "A Proposal for a General Ordinance amending the 'Code of Indianapolis and Marion County, Indiana' to include certain ordinances omitted through inadvertence or mistake from the codification;" and the President referred it to the Rules and Public Policy Committee.

Proposal No. 112, 1976. Introduced by Councilman Schneider. The Clerk read the Proposal entitled; "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional One Thousand Nine Hundred Twenty-One Dollars (\$1,921.00) in the County General Fund for purposes of the Pike Township Assessor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County and Townships Committee.

Proposal No. 113, 1976. Introduced by Councilman Schneider. The Clerk read the Proposal entitled; "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and Fund for purposes of Franklin Township Assessor and reducing certain other appropriations for that office;" and the President referred it to the County and Townships Committee.

Proposal No. 114, 1976. Introduced by Councilman Schneider. The Clerk read the Proposal entitled; "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Twenty-Six Thousand Two Hundred Eighty-Nine Dollars and Fifty-Eight Cents (\$26,289.58) in the County General Fund for purposes of the Cooperative Extension Service and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County and Townships Committee.

Proposal No. 115, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled; "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Sixteen Thousand Six Hundred Twelve Dollars and Ninety Cents (\$16,612.90) in the Crime Control Fund for purposes of Municipal Court and reducing the unappropriated and unencumbered balance in the Crime Control Fund;" and the President referred it to the Public Safety and Criminal Justice Committee.

Proposal No. 116, 1976, Introduced by Councilman West. The Clerk read the Proposal entitled;"A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Ten Thousand Five Hundred Eighty-Five Dollars (\$10,585.00) in the Crime Control Fund for purposes of Municipal Court Probation and reducing the unappropriated and unencumbered balance in the Crime Control Fund;" and the President referred it to the Public Safety and Criminal Justice Committee.

Proposal No. 117, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled; "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Forty-Eight Thousand Three Hundred Eighty-Nine Dollars (\$48,389.00) in the Crime Control Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the Crime Control Fund;" and the President referred it to the Public Safety and Criminal Justice Committee.

Proposal No. 118, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled; "A Proposal for a Fiscal Ordinance amending the City-County Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional One Thousand Three Hundred Four Dollars and Forty-One Cents (\$1,304.41) in the Crime Control Fund for purposes of the Prosecuting Attorney and reducing the Crime Control Fund;" and the President referred it to the Public Safety and Criminal Justice Committee.

Proposal No. 119, 1976. Introduced by Councilman West. The Clerk read the Proposal entitled; "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Nine Hundred Twenty-Eight Dollars and Ninety-Two Cents (\$928.92) in the Crime Control Fund for purposes of the Juvenile Court and reducing the unappropriated and unencumbered balance in the Crime Control Fund;" and the President referred it to the Public Safety and Criminal Justice Committee.

Proposal No. 120, 1976. Introduced by Councilman Clark. The Clerk read the Proposal entitled; "A Proposal for a General Ordinance repealing Section 19-5 of the 'Code of Indianapolis and Marion County, Indiana' wherein certain debt adjusting businesses were declared a nuisance;" and the President referred it to the Administration Committee.

Proposal No. 121, 1976. Introduced by Councilman Clark. The Clerk read the Proposal entitled; "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Sixty-Seven Thousand Dollars (\$67,000.00) in the Community Services Program Fund for purposes of the Community Services Division, Department of Administration, and reducing the unappropriated and unencumbered balance in the Community Services Program Fund;" and the President referred it to the Administration Committee.

#### SPECIAL ORDERS - PUBLIC HEARING

President SerVaas called for any proposals to be heard under Special Orders - Public Hearing. Members of the public were invited to speak on proposals eligible for public hearing.

Proposal No. 85, 1976, As-Amended. By consent, Proposal No. 85, 1976, As Amended was advanced on the agenda. Following Mr. Kelley's presentation, discussion was held, during which President SerVaas surrendered the gavel to Vice President Kimbell and asked questions of the Prosecutor. Following discussion and questions by Council members, Councilman West summarized. The Council recessed to a Committee of the Whole at 7:40 p.m. and reconvened at 7:42 p.m. After public hearing during which Mr. Don Christensen of the American Party spoke, Proposal No. 85, As Amended, was passed on the following roll call vote: viz:

26 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mrs. Hart, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

2 NOES: Mrs. Coughenour and Mr. Schneider. (Mr. Dowden did not vote.)

Proposal No. 85, 1975, As Amended, was retitled Fiscal Ordinance No. 13, 1976, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 13, 1976**

A FISCAL ORDINANCE authorizing acceptance of a Criminal Justice Grant amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Three hundred sixty-one thousand two hundred thirty-one dollars and eighty cents (\$361,231.80) in the Crime Control Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 6 of the City-County Annual Budget for 1976 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of accepting Criminal Justice Planning Agency Grant No. 76-DF-05-0007 and appropriating the proceeds of such grant.

SECTION 2. The sum of Three hundred sixty-one thousand two hundred thirty-one dollars eighty cents (\$361,231.80) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY	CRIME CONTROL FUND
31. Personnel	\$291,060.80
32. Educational Seminars	\$900.00
33. Travel	\$3,000.00
34. Equipment (leased & purchased)	\$38,145.00
35. Supplies	\$16,623.00
36. Remodeling Construction	\$12,000.00
TOTAL INCREASES	\$361,231.80

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

PROSECUTING ATTORNEY	CRIME CONTROL FUND
Unappropriated and unencumbered Crime Control Fund	\$361,231.80
TOTAL REDUCTIONS	\$361,231.80

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

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

Proposals No. 98 & 99, 1976. President SerVaas announced that Proposals No. 98 & 99, 1976, would be considered together, by consent. President SerVaas stated he had allowed the petitioners and the remonstrators each a period of twenty-five minutes to present their arguments. President SerVaas introduced Mr. Michael Kias, attorney for the petitioners. Following the presentation by Mr. Kias, President SerVaas then introduced Mr. Al Strickland, President, Southeast Civic Association of Warren Township. During presentation to the Council, Mr. Strickland requested the remonstrators to stand. Approximately thirty-five people stood. Mr. Strickland introduced Ms. Shirley Wright, Dean of Girls of Creston Junior High School, who spoke in opposition to the Proposal. The Council discussed the information presented by both sides and then requested the representative of the Division of Planning and Zoning, Mr. Gary Stair, to advise the Council of staff recommendations of Proposals 98 & 99, 1976. Mr. Stair advised that staff had recommended approval of both proposals. President SerVaas allotted time to Council to ask questions of Mr. Stair, Mr. Kias, and Mr. Strickland concerning Proposals 98 & 99, 1976.

Following lengthy discussion, Councilman Tintera moved, seconded by Councilman West, to amend Proposal No. 98, 1976, to a C-3 zoning classification, rather than zoning classification C-4; and to amend Proposal No. 99, 1976, to a D-6 zoning classification, rather than zoning classification D-6 11. Discussion of the proposed amendment followed after which President SerVaas stated the Council would vote on the amendments to Proposals No. 98 & 99, 1976, jointly.

The motion to amend Proposals No. 98 & 99, 1976 failed on the following roll call vote; viz:

5 AYES: *Mr. Clark, Mr. Schneider, Mr. Tinder, Mr. Tintera and Mr. West.*  
23 NOES: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mrs. Hart, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Vollmer and Mr. Walters. (Mr. Dowden did not vote.)*

Further discussion followed, during which Councilman Gorham moved, seconded by Councilman Kimbell, to postpone Proposals No. 98 & 99, 1976, until the next meeting of the Council.

The motion to postpone failed on the following roll call vote; viz:



7 AYES: Mrs. Brinkman, Mr. Gorham, Mrs. Hart, Mr. Kimbell, Mr. SerVaas, Mr. Tintera and Mr. West.

21 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. Tinder, Mr. Vollmer and Mr. Walters. (Mr. Dowden did not vote.)

Discussion followed, during which Councilman Clark, Mr. Kias and Mr. Strickland spoke concerning these proposals. During this discussion, Mr. Kias, in behalf of the petitioners, agreed to covenant that, if these proposals were adopted, they would build the single family dwellings on property north of the proposed rezoning at the same time as the multifamily dwellings (Proposal No. 99, 1976), and that they would be built prior to construction of the commercial center (Proposal No. 98, 1976).

President SerVaas stated that a separate vote would be called on each proposal and that it would take a vote of at least 20 Noes to reject the proposals.

Because twenty negative votes are required by statute to reject a rezoning ordinance certified by the Metropolitan Development Commission, Proposal No. 98, 1976, became effective on the following roll call vote; viz:

10 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters.

18 NOES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mrs. Hart, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, and Mr. West. (Mr. Dowden did not vote.)

Proposal No. 98, 1976, was retitled Rezoning Ordinance No. 23, 1976, and reads as follows:

**Rezoning Ordinance No. 23, 1976 75-Z-130 Warren Township  
Councilmanic Districe No. 13  
10900 East Prospect Street, Indianapolis  
Ray B. and Ralph B. Smith by Michael J. Kias, Attorney, 3045 South Meridian  
Street request rezoning of 7.52 acres, being in A-2 district, to C-4 classification  
to permit a commercial center.**

Because twenty negative votes are required by statute to reject a rezoning ordinance certified by the Metropolitan Development Commission, Proposal No. 99, 1976, became effective on the following roll call vote; viz:

11 AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer, Mr. Walters and Mr. West.

17 NOES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mrs. Hart, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder and Mr. Tintera.  
(Mr. Dowden did not vote.)

Proposal No. 99, 1976, was retitled Rezoning Ordinance No. 24, 1976, and reads as follows:

**Rezoning Ordinance No. 24, 1976 75-Z-130 Warren Township  
Councilmanic District No. 13  
10900 East Prospect Street, Indianapolis  
Ray B. and Ralph B. Smith by Michael J. Kias, Attorney, 3045 South Meridian  
Street request rezoning of 27.00 acres, being in A-2 district, to D-6 II  
classification to permit multifamily use.**

President SerVaas called for a three minute recess to allow members of the public to vacate Council Chambers. The meeting was reconvened at 9:45 p.m.

Proposal No. 100, 1976. President SerVaas advised he had allowed the petitioners and remonstrators each a period of twenty minutes to present their arguments. President SerVaas asked Mr. Kias to present the case of the petitioner to the Council. Following the presentation by Mr. Kias, Mr. Harry Salabury, President of the New August Civic Association; Mrs. Purdy; and Mr. Tom Weigel spoke in behalf of the remonstrators. Mr. Weigel requested the remonstrators to stand. Approximately fifteen people stood.

After the presentation by the petitioners and remonstrators, Mr. Gary Stair of the Division of Planning and Zoning was requested to come forward so Council members could ask questions concerning this proposal. Following questions by Council of the petitioners, remonstrators and Mr. Stair, Councilman Tintera moved, seconded by Councilman Kimbell, to postpone Proposal No. 100, 1976, until the next meeting of Council.

The motion to postpone was defeated by voice vote.

Following further discussion, President SerVaas called for the vote, advising Council, again, that it would take a vote of at least 20 Noes to reject the proposal.

Because twenty negative votes are required by stature to reject a rezoning ordinance certified by the Metropolitan Development Commission, Proposal No. 100, 1976, became effective on the following roll call vote; viz:

10 AYES: *Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters.*

17 NOES: *Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dumil, Mr. Gilmer, Mr. Gorham, Mrs. Hart, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West. (Mr. Dowden and Mr. McPherson did not vote.)*

Proposal No. 100, 1976, was retitled Rezoning Ordinance No. 25, 1976, and reads as follows:

**Rezoning Ordinance No. 25, 1976 75-Z-154 Pike Township  
Councilmanic District No. 1  
4730 West 71st Street, Indianapolis (New Augusta, Ind.)  
LeRoy M. and Bette J. Russell by Michael J. Kias, Attorney, 3045 South  
Meridian Street request rezoning of 0.32 acre, being in D-3 district, to  
C-1 classification to permit office use.**

President SerVaas called for a two minute recess to allow members of the public to vacate Council Chambers.

Proposal No. 64, 1976. The Council recessed to a Committee of the Whole at 10:59 p.m. and reconvened at 11:00 p.m. After public hearing and following discussion during which Councilman West spoke regarding the proposal, Proposal No. 64, 1976, was passed on the following roll call vote; viz:

20 AYES: *Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dumil, Mr. Gilmer, Mrs. Hart, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Miller, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.*

6 NOES: *Mr. Cantwell, Mr. Clark, Mr. Gorham, Mrs. Journey, Mr. Patterson and Mr. Rippel. ( Mr. Bayt, Mr. Dowden and Mr. McPherson did not vote.)*

Proposal No. 64, 1967, was retitled Fiscal Ordinance No. 12, 1976, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 12, 1976**

**A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 (City- County Fiscal Ordinance No. 92, 1975) and appropriating an additional Thirty-Three Thousand Six Hundred Thirty Dollars and Fifty-Two Cents (\$33,630.52) in the Consolidated County Fund for purposes of the Dog Pound Division, Department of Public Safety, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.**

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 5 of the City-County Annual Budget for 1976 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of adding civilian employees for the Dog Pound Division to be financed from federal grants pursuant to the Comprehensive Employment and Training Act of 1973.

**SECTION 2.** The sum of Thirty-Three Thousand Six Hundred Thirty Dollars and Fifty-Two cents (\$33,630.52) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

**SECTION 3.** The following additional appropriations are hereby approved:

<b>Department of Public Safety</b>	<b>Consolidated County Fund</b>
<b>Dog Pound Division</b>	
10. Services Personal	\$30,892.00
24. Current Charges	\$885.00
25. Current Obligations	\$1,853.52
<b>TOTAL INCREASES</b>	<b>\$33,630.52</b>

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

<b>Department of Public Safety</b>	<b>Consolidated County Fund</b>
<b>Dog Pound Division</b>	
<b>Unappropriated and unencumbered</b>	
<b>Consolidated County Fund</b>	<b>\$33,630.52</b>
<b>TOTAL REDUCTIONS</b>	<b>\$33,630.52</b>

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

Proposal No. 84, 1976, As Amended. Councilman West advised that Judge Boring had been requested to attend this meeting of Council for purposes of answering questions Council members might have concerning this proposal; however, he had been unable to be present. Proposal No. 84, 1976, was postponed, by consent, until the next meeting of the Council.

Proposal No. 88, 1976. Proposal No. 88, 1976, was stricken by a unanimous voice vote.

Proposal No. 97, 1976. The Council recessed to a Committee of the Whole at 11:14 p.m. and reconvened at 11:15 p.m. After public hearing and following discussion during which Councilman West spoke, Councilman Patterson moved, seconded by Councilman Miller, to amend Proposal No. 97, 1976, as follows:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

I move that the City-County Proposal No. 97, 1976, be amended as follows:

Renumber Section 5 as Section 6 and insert a new Section 5 as follows:

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

The motion to amend was carried by voice vote.

The Question being called, Proposal No. 97, 1976, As Amended, was passed on the following roll call vote; viz:

18 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Dumil, Mrs. Hart, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Pearce, Mr. Rippel, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.  
 8 NOES: Mr. Anderson, Mrs. Coughenour, Mr. Gilmer, Mr. Gorham, Mr. Miller, Mr. Patterson, Mr. Schneider, and Mr. SerVaas. (Mr. Bayt, Mr. Dowden and Mr. McPherson did not vote.)

Proposal No. 97, 1976, As Amended, was retitled Fiscal Ordinance No. 14, 1976, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 14, 1976**

**A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Fifty-Four Thousand Nine Hundred and Sixty Dollars (\$54,960.00) in the Crime Control Fund for purposes of Juvenile Court and reducing the unappropriated and unencumbered balance in the Crime Control Fund.**

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

**SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 6 of the City-County Annual Budget for 1976 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of approving acceptance of Grant No. 76C-101-15-009.**

**SECTION 2. The sum of Fifty-Four Thousand Nine Hundred and Sixty Dollars (\$54,960.00) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.**

**SECTION 3. The following additional appropriations are hereby approved:**

<b>JUVENILE COURT</b>	<b>CRIME CONTROL FUND</b>
31.	\$54,960.00
<b>TOTAL INCREASES</b>	<b>\$54,960.00</b>

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

<b>JUVENILE COURT</b>	<b>CRIME CONTROL FUND</b>
Unappropriated and Unencumbered Crime Control Fund	\$54,960.00
<b>TOTAL REDUCTIONS</b>	<b>\$54,960.00</b>

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

**SECTION 6.** This Ordinance shall be in full force and effect from and after adoption and compliance with I.C. 18-4-5-2.

The foregoing was passed by the City-County Council this 8th day of March, 1976.

**SECTION 7.** 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. 102, 1976. Councilman Tinder announced that Proposal No. 102, 1976, was tabled in Committee and would remain so until the Committee Chairman advises it is to be brought before the City-County Council again.

Proposal No. 103, 1976. The Council recessed to a Committee of the Whole at 11:22 p.m. and reconvened at 11:23 p.m. After public hearing and following discussion, Councilman West moved, seconded by Councilman Pearce to amend Proposal No. 103, 1976, as follows:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

I move that Proposal No. 103, 1976, be amended as follows:

In Section 3, line 8, change the last three digits of the number from "102" to "012" to correct a typographical error.

The motion to amend was carried by unanimous voice vote.

Following further discussion, Councilman Patterson moved, seconded by Councilman Gilmer, to amend Proposal No. 103, 1976, as follows:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

I move that City-County Council Proposal No. 103, 1976, be amended as follows:

Renumber Section 5 as Section 6 and insert a new Section 5 as follows:

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

The motion to amend was carried by voice vote.

After futher discussion Proposal No. 103, 1976, As Amended, was passed on the following roll call vote; viz:

15 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Hart, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

11 NOES:Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mr. Miller, Mr Patterson, Mr. Rippel, Mr. Schneider and Mr. SerVaas. (Mr. Bayt, Mr. Dowden and Mr. McPherson did not vote.)

Proposal No. 103, 1976, As Amended, was retitled Fiscal Ordinance No. 15, 1976, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 15, 1976 (As Amended)**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1976, (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional One hundred two thousand four hundred twelve dollars and fifty-six cents (\$102,412.56) in the Crime Control Fund for purposes of Criminal Court Probation Department and reducing the unappropriated and unencumbered balance in the Crime Control Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 6 of the City-County Annual Budget for 1976 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of authorizing certain Indiana Criminal Justice Planning Agency grants and appropriating the proceeds thereof.

SECTION 2. The sum of One hundred two thousand four hundred twelve dollars and fifty-six cents (\$102,412.56) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CRIMINAL COURT PROBATION	CRIME CONTROL FUND
<b>No.G76E-101-15-011</b>	
31.	\$42,057.40
33.	\$600.00
35.	\$492.86
	<b>\$43,057.40</b>
<b>No.G76C-101-15-012</b>	
31.	\$18,629.08
32.	\$500.00
33.	\$664.68
35.	\$800.00
	<b>\$20,593.76</b>
<b>EG76C-101-15-008</b>	
31.	\$36,940.35
34.	\$924.32
35.	\$803.87
	<b>\$38,668.54</b>
<b>TOTAL INCREASES</b>	<b>\$102,412.56</b>

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

<b>CRIMINAL COURT PROBATION</b>	<b>CRIME CONTROL FUND</b>
Unappropriated and Unencumbered	
Crime Control Fund	\$102,412.56
<b>TOTAL REDUCTIONS</b>	<b>\$102,412.56</b>

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

**SECTION 6.** This Ordinance shall be in full force and effect from and after adoption and compliance with I.C. 18-4-5-2.

The foregoing was passed by the City-County Council this 8th day of March, 1976.

Proposal No. 104, 1976. After public hearing and discussion of the proposal, Councilman Vollmer moved, seconded by Councilman Clark, that Proposal No. 104, 1976, be postponed until the next meeting of the Council.

The motion to postpone was carried by unanimous voice vote.

Proposal No. 105, 1976. After public hearing and discussion of the proposal, Councilman Clark moved, seconded by Councilwoman Journey, that Proposal No. 105, 1976, be postponed until the next meeting of the Council .

The motion to postpone was carried by unanimous voice vote.

Proposal No. 106, 1976. After public hearing and following discussion of the proposal, Councilman Tintera moved, seconded by Councilman Howard, that Proposal No. 106, 1976, be postponed until the next meeting of the Council.

The motion to postpone was carried by unanimous voice vote.

#### **SPECIAL ORDERS - FINAL ADOPTION**

President SerVaas called for proposals eligible for action under Special Orders - Final Adoption.

Proposals No. 14 & 15, 1976. By consent, Proposals No. 14 & 15, 1976, were considered together. Councilman Tintera moved, seconded by Councilman Kimbell, that Proposals No. 14 & 15, 1976 be stricken.

The motion to strike was carried by unanimous voice vote.



Proposal No. 33, 1976. Mr. West reported that the petitioner, Mr. Irwin Prince, had withdrawn the petition on which this proposal was based. Councilman Tintera moved, seconded by Councilman Clark, that Proposal No. 33, 1976, be stricken.

The motion to strike was carried by unanimous voice vote.

Proposal No. 66, 1976. Councilman Cantwell requested permission for all Minority Members of the Council to abstain from voting on Proposal No. 66, 1976. President SerVaas granted permission to Minority Members to abstain. Following discussion during which Councilman Tintera spoke regarding the proposal, Proposal No. 66, 1976, was passed on the following roll call vote; viz:

17 AYES: *Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dumil, Mr. Gilmer, Mr. Gorham, Mrs. Hart, Mr. Kimbell, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. Tintera and Mr. West.*

10 ABSTENTIONS: *Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters. (Mr. Dowden and Mr. McPherson did not vote.)*

Proposal No. 66, 1976, was retitled General Ordinance No. 32, 1976 and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 32, 1976**

**A GENERAL ORDINANCE REPEALING SECTION 2-84 OF THE "CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA (GENERAL ORDINANCE NO. 48, 1970) AND ABOLISHING THE POLICE AND FIRE SPECIAL SERVICE DISTRICT COMMITTEES OF THE CITY-COUNTY COUNCIL.**

**WHEREAS, General Ordinance No. 48, 1970, was adopted on March 2, 1970, by the interim City-County Council and approved by the Mayor; and**

**WHEREAS, said General Ordinance was adopted pursuant to the decision in Mason Bryant, et al. v. Edgar D. Whitcomb, et al., Cause No. IP69-C-115 United States District Court, Southern District of Indiana, Indianapolis Division, entered February 3, 1970; and**

**WHEREAS, said decision, and the adoption of General Ordinance No. 48, 1970 were based upon the provisions of Chapter 173 of the Acts of 1969 as they existed at that time; and**

**WHEREAS, the General Assembly of the State of Indiana has subsequently adopted Public Law 258 of the year 1971, which amended the statutory provisions pertaining to membership on the Police and Fire Special Service District Councils and the authority of said Councils; and**

**WHEREAS, said amendments effectively repealed the provisions of General Ordinance No. 48, 1970; and the City-County Council, since said amendments, have not followed the provisions of General Ordinance No. 48, 1970, and have treated it as being repealed; and**

**WHEREAS, through inadvertence General Ordinance No. 48, 1970, was codified as Section 2-84 of the "Code of Indianapolis and Marion County, Indiana" adopted October 6, 1975, approved by the Mayor October 8, 1975, and effective December 1, 1975; and**

**WHEREAS, there is presently pending in the United States District Court, Southern**

District of Indiana, Indianapolis, Division, the case of Paul Cantwell, et al. v. William Hudnut, et al, Cause No. IP75-721-C, which presents issues on the membership and authority of the Police and Fire Special Service District Councils; WHEREAS, the City-County Council desires to clarify the issues to be resolved in that cause; now therefore

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

**SECTION 1.** That Section 2-84 of the Code of Indianapolis and Marion County, Indiana and City-County General Ordinance No. 48, 1970, and hereby expressly repealed.

**SECTION 2.** This ordinance shall become effective on and after its date of passage and approval by the Mayor.

Proposals 89 & 90, 1976. By consent, Proposals No. 89 & 90, 1976, were considered together. Following discussion during which Councilman Miller spoke, Proposals No. 89 & 90, 1976 were passed on the following roll call vote; viz:

*24 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gorham, Mrs. Hart, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West. (Mr. Bayt, Mr. Cantwell, Mr. Dowden, Mr. Gilmer and Mr. McPherson did not vote.)*

Proposals No. 89 & 90, 1976, were retitled General Ordinances No. 33 and 34, 1976, respectively, as read as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 33, 1976**

A PROPOSAL FOR A GENERAL ORDINANCE amending the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, 1975, and more particularly Chapter 29, Traffic and Motor Vehicles; establishing S. Sherman Drive known as N. 17th Ave. in Beech Grove) as the preferential street at its intersection, with E. Southern Ave. upon completion of construction improving said intersection, 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.** Code of Indianapolis and Marion County, Indiana 1975; Chapter 29, Traffic and Motor Vehicles, Article III, Intersection Traffic Controls; Section 92 Schedule of Intersection Controls, be, and the same is hereby amended by the DELETION of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No. 33	E. Southern Ave. & N. 17th Ave.	None	Stop

SECTION 2. Code of Indianapolis and Marion County, Indiana, 1975; Chapter 29, Traffic and Motor Vehicles, Article III, Intersection Traffic Controls, Section 92 Schedule of Intersection Controls, be, and the same is hereby amended by the ADDITION of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No. 33 Pg.7 (a.k.a.N. 17th Ave; B.G. & E. Southern Ave.)	S. Sherman Drive	S. Sherman Dr.	Stop

SECTION 3. This amendment shall be subject to the penalties as provided in Chapter 1, Section 108, of the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, 1975.

SECTION 4. This Ordinance will be in full force and effect from and after its adoption by the Council, approval by the Mayor, and completion of Department of Transportation Project No. 33-022, and compliance with all laws pertaining thereto.

Council District No. 23 & 24

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1976

A PROPOSAL FOR A GENERAL ORDINANCE amending the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, 1975, and more particularly Chapter 29, Traffic and Motor Vehicles; establishing preferential controls at several residential intersections, 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. Code of Indianapolis and Marion County, Indiana, 1975; Chapter 29, Traffic and Motor Vehicles, Article III, Intersection Traffic Controls; Section 92 Schedule of Intersection Controls, be, and the same is hereby amended by the DELETION of the following to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No.17pg.2	Blue Grass Drive & Cherry Lane	(none)	None
No.17pg.2	Bluffwood Dr. W. & W 48th St.	(none)	None
No.17pg.3	Cherry Le. & Weslynn Drive	(none)	None
No.17pg.3	Cherry Le. & Will Crest Drive	(none)	None
No.17pg.4	Crooked Ck. Rdg. & W. 44th Street	(none)	None
No.17pg.6	Hidden Orch. Ct. & Hidden Orchd. Le	(none)	None
No.17pg.6	Hidden Och. Le. & W. 44th Street	(none)	None
No.17pg.6	Jennys Rd. & W 48th Street	(none)	None
No.17pg.8	Media Drive & Weslynn Drive	(none)	None
No.17pg.8	Olympia Dr. & Weslynn Dr.	Weslynn Dr.	Yield

No.17pg.8	Orlando Ct. & Orlando Street	(none)	None
No.17pg.9	Seville Drive & W. 48th Street	(none)	None

SECTION 2. Code of Indianapolis and Marion County, Indiana, 1975; Chapter 29, Traffic and Motor Vehicles, Article III, Intersection Traffic Controls, Section 92 Schedule of Intersection Controls, be, and the same is hereby amended by the ADDITION of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
No.17pg.2	Blue Grass Dr. & Cherry Le.	Cherry Le.	Stop
No.17pg.2	Bluffwood Dr. W. & W. 48th St.	W 48th St.	Stop
No.17pg.3	Cherry Le. & Weslynn Drive	Cherry Le.	Stop
No.17pg.3	Cherry Le. & Will Crest Drive	Cherry Le.	Stop
No.17pg.4	Crooked Ck. Rdg. & W. 44th St.	W. 44th St.	Stop
No.17pg.6	Hidden Orch. Ct. & W. 44th Street	Hidden Ochd. Le.	Stop
No.17pg.6	Jennys Rd. & W 48th Street	W. 48th Street	Stop
No.17pg.8	Media Dr. & Weslynn Drive	Weslynn Drive	Stop
No.17pg.8	Olympia Dr. & Weslynn Drive	Olympia Drive	Stop
No.17pg.8	Orlando Ct. & Orlando Street	Orlando Street	Stop
No.17pg.9	Seville Dr. & W. 48th Street	W. 48th Street	Stop

SECTION 3. This amendment shall be subject to the penalties as provided in Chapter 1, Section 1-8, of the CODE OF INDIANAPOLIS AND MARION COUNTY, INDIANA, 1975.

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.

Council District No. 2

**ENGINEERING REPORT**  
A STUDY/KESSLER BOULEVARD TO KNOLLTON ROAD AND 44TH STREET  
TO SEVILLE DRIV

BY  
TRAFFIC ENGINEERING DIVISION

**INTRODUCTION**

A request for traffic controls at the above referenced location was made on October 13, 1975 by petition (24 names) initiated by Mrs. Dorothy Hubbard, treasurer of Parkwood Lake Corporation.

An Engineering Study was made and pertinent data was examined to determine feasibility of this request.

**RECOMMENDATIONS**

That stop signs be installed as follows:

Preferential  
44th Street  
44th Street  
Hidden Orchard Lane  
Cherry Lane  
Cherry Lane  
Cherry Lane  
48th Street  
48th Street  
48th Street  
Orlando Street  
Olympia Drive  
Weslynn Drive

Stop  
Crooked Creek Ridge Drive  
Hidden Orchard Lane  
Hidden Orchard Court  
Blue Grass Drive  
Willcrest Drive  
Weslynn Drive  
Seville Drive  
Jennys Road  
Bluffwood Drive  
Orlando Court  
Weslynn Drive  
Media Drive

#### SUMMARY OF CONCLUSIONS and FINDINGS

Field investigation reveals the need for traffic controls in the area studied.

Signing previously installed is authorized by Ordinance No.39-1975.

Recommended for Approval by James H. Cox, P.E., Chief Traffic Engineer - Date:  
1/19/76

Approved by Fred L. Madorin, Director - Date: 1/21/76

### ENGINEERING REPORT SHERMAN DRIVE & SOUTHERN AVENUE - SIGNAL STUDY BY TRAFFIC ENGINEERING DIVISION

#### INTRODUCTION

A signal study was made of the subject intersection in conjunction with DOT Project No. 33-022 (Improvement of Sherman Drive in Indianapolis to Albany Street in Beech Grove). This study was made to determine feasibility of a signal installation at the intersection of Sherman Drive and Southern Avenue. Sherman Drive is A Thouroughfare street.

#### PROCEDURE

Traffic counts were made, Beech Grove Police Department accident records were examined, on-site field investigation was made, and all pertinent data was researched.

#### RECOMMENDATIONS

1. That the presently installed four way stops at this intersection be removed. The supplementary Flashing Beacon also be removed.
2. That the intersection of Sherman Drive & Southern Avenue be made a 2-way stop. Sherman Drive is the preferential street.

#### FINDINGS

Warrants for traffic signals and four-way stops researched and as defined in "Indiana

Manual on Uniform Traffic Control Devices for Streets and Highways" are not satisfied.

Analysis of all collected data shows that criteria is not satisfied for a proposed signal or for the presently installed four-way stops.

Following are findings on necessary warrants:

**Signal Warrants**

**Warrant No. 1 - Minimum Vehicular Volume - 0 hours (8 hours required)**

**Warrant No. 2 - Interruption of Continuous Traffic-0 hours (8 hours required)**

**Warrant No. 3 - Minimum Pedestrian Traffic - 2 hours (8 hours required)**

**Warrant No. 4 - Progressive Movement - Not applicable**

**Warrant No. 5 - Accident Experience - Beech Grove Police Department accident records indicate that incidence experience does not satisfy this warrant.**

**Warrant No. 6 - Combination of Warrants - Analysis of collected data does not indicate a combination of warrants is satisfied.**

**4-Way Stop Warrants**

**Warrant No. 1 - Not satisfied**

**Warrant No. 2 - Not satisfied**

**Warrant No. 3**

- (a) - satisfied for necessary 8 hours.
- (b) - satisfied for 3 hours. 8 hours are necessary.
- (c) - Not satisfied.

**Recommended for**

**Approval by James H. Cox, P.E., Chief Traffic Engineer**

**Date: 12/16/75**

**Approved by Fred L. Madorin, Director**

**Date: 12-17-75**

Proposal No. 101, 1976. Following discussion during which Councilman Gilmer spoke, Proposal No. 101, 1976, was passed on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Gorham, Mrs. Hart, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West. (Mr. Bayt, Mr. Cantwell, Mr. Clark, Mr. Dowden, Mr. McPherson and Mr. Rippel did not vote.)

Proposal No. 101, 1976, was retitled General Ordinance No. 35, 1976, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 35, 1976**

**A GENERAL ORDINANCE amending certain provisions of the Code of Indianapolis and Marion County, Indiana, regulating the use of Eagle Creek Reservoir (amends "Code" Sec. 7-73 and Sec. 7-74).**

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

**SECTION ONE: The Code of Indianapolis and Marion County, Indiana be, and is hereby amended by deleting the portions cross-hatched and inserting the portions underlined to read as follows:**

**SEC. 7-73. Permitted Use.**

Eagle Creek Reservoir shall be used solely for boating, fishing, swimming, ice skating and other winter sports activities, but only at such times and places as shall be determined in the discretion of the department of parks and recreation.

**SEC. 7-74. Boating and Boat Launching.**

(a) Only boats, sail or power, twenty-six (26) feet in length or less, with ten (10) horsepower or less rated motors, and without operable toilet facilities will be permitted on the surface of the reservoir.

(b) All boats shall be launched solely from launching ramps designated and approved by the department of parks and recreation.

(c) No power boat shall be operated on the surface of the reservoir at a speed of greater than five (5) miles per hour.

(d) No boat shall be launched from any launching facility unless it:

(1) Contains at least one (1) Coast Guard approved life preserver for each occupant;

(2) Displays a state registration number, if required; and

(3) The operator of a motorized boat is sixteen (16) years of age or older

(e) No boating activity of any kind shall be permitted within five hundred (500) yards of the dam.

The foregoing was passed by the City-County Council this 8th day of March, 1976.

**ANNOUNCEMENTS**

President SerVaas announced a change in the Council meeting dates and requested a motion from the floor to make the change official. Councilman Kimbell moved, seconded by Councilman Clark, that the regular meeting of the City-County Council for March 15, 1976, be postponed to March 22, 1976, and reads as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that the Regular Meeting of the City-County Council for March 15, 1976, be postponed to March 22, 1976, at 7:00 p.m.

Upon motion duly made by Councilman Kimbell, seconded by Councilman Clark, the meeting was adjourned at 11:42 p.m.

We hereby certify the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held at its Special Meeting on the 8th day of March, 1976.

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