

**CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
POSTPONED REGULAR MEETING
Wednesday, November 3, 1976**

A Postponed Regular Meeting of the City—County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City—County Building at 7:10 p. m., Wednesday, November 3, 1976. President SerVaas in the Chair. Councilman Bayt opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

President SerVaas instructed the Clerk to take the roll. Twenty-six 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. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Mrs. Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

ABSENT: Mr. Gorham, Mr. Kimbell, Mr. Patterson

[Clerk's Note: Mr. Walters was absent during the public hearing for Proposal Nos. 452 and 462, 1976. Therefore, no vote will be registered on the roll call.]

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 Wednesday, November 3, 1976, at 7:00 p.m., the purpose of such **MEETING** being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

s/Beurt SerVaas, President
City—County Council

CORRECTION OF THE JOURNAL

President SerVaas called for additions or corrections to the Journal of October 25, 1976, as distributed. There being no additions or corrections, the minutes were approved as distributed.

OFFICIAL COMMUNICATIONS

President SerVaas called for the 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 COMMERCIAL and The Indianapolis NEWS on October 22, 1976, and October 29, 1976, a "NOTICE TO TAXPAYERS" on Proposal No. 462, 1976, for a Public Hearing to be held on Wednesday, November 3, 1976, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

**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:

FISCAL ORDINANCE NO. 111, 1976, amending the City-County Annual Budget for 1976 and appropriating an additional \$113,000 in the Park District Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park District Fund.

FISCAL ORDINANCE NO. 112, 1976, amending the City-County Annual Budget for 1976 and appropriating an additional \$50,000 in the City General Fund for purposes of the Office of the Director of the Department of Public Works and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 116, 1976, amending the City-County Annual Budget for 1976 and appropriating an additional \$146,300 in the Community Services Division of the Department of Administration and reducing the unappropriated and unencumbered balance in the Community Services Fund.

FISCAL ORDINANCE NO. 117, 1976, amending the City-County Annual Budget for 1976 and appropriating an additional \$40,000 in the Community Services Fund for purposes of the Community Services Division of the Department of Administration and reducing the unappropriated and unencumbered balance in the Community Services Fund.

FISCAL ORDINANCE NO. 118, 1976, amending the City-County Annual Budget for 1976 and appropriating an additional \$4,272 in the Historic Preservation Fund for purposes of the Historic Preservation Commission, a division of the Department of Metropolitan Development, and reducing the unappropriated and unencumbered balance in the Historic Preservation Fund.

FISCAL ORDINANCE NO. 119, 1976, amending the City-County Annual Budget for 1976 and transferring and appropriating \$350,000 in the Transportation Fund for purposes of the Department of Transportation and reducing certain other appropriations for that department.

GENERAL ORDINANCE NOS. 119-129, 1976, 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.

SPECIAL RESOLUTION NO. 15, 1976, urging support for the Marion County Association for Retarded Citizens.

GENERAL RESOLUTION NO. 25, 1976, authorizing the City of Indianapolis to expand its Urban Homesteading Program by amending Paragraph 8 of the Agreement of December 8, 1975, between the Department of Housing and Urban Development and the City of Indianapolis.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

INTRODUCTION OF GUESTS

Councilman George Tintera announced that later in the evening he would introduce the President and staff of the New Hope Foundation.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 484, 1976. Introduced by Councilman Miller. 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, Section 29-92 and 167, 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. 485, 1976. Introduced by Councilman Miller. 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, Section 29-92, 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. 486, 1976. Introduced by Councilman Miller. 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, Section 29-92, 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. 487, 1976. Introduced by Councilman Miller. 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, Section 29-270, 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. 488, 1976. Introduced by Councilman Miller. 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, Section 29-137, 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. 489, 1976. Introduced by Councilman Miller. 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, Section 29-92, 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. 490, 1976. Introduced by Councilman Miller. 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, Section 29-268, 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. 491, 1976. Introduced by Councilman Miller. 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, Section 29-268, 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. 492, 1976. Introduced by Councilman Miller. 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, Section 29-269, 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. 493, 1976. Introduced by Councilman Miller. 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, Section 29-92, 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. 494, 1976. Introduced by Councilman Miller. 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, Section 29-168, 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. 495, 1976. Introduced by Councilman Miller. 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, Section 29-92, 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. 496, 1976. Introduced by Councilman Miller. 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, Section 29-92, 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. 497, 1976. Introduced by Councilman Miller. 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, Section 29-92, 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. 498, 1976. Introduced by Councilwoman Brinkman. The Clerk read the proposal entitled, "A Proposal for a General Ordinance amending City-County General Ordinance No. 114, 1975, and approving changes in the established personnel and salaries for Pike Township, Marion County, Indiana"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 499, 1976. Introduced by Councilwoman Brinkman. The Clerk read the proposal entitled, "A Proposal for a General Ordinance amending City-County General Ordinance No. 97, 1976, and approving changes in the established personnel and salaries for Pike Township, Marion County, Indiana"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 500, 1976. Introduced by Councilman Tintera. The Clerk read the proposal entitled, "A Proposal for a Special Ordinance of the City of Indianapolis authorizing the final terms of the financing of pollution control facilities, through the issuance and sale by the City of Indianapolis of its "7¼% Pollution Control Revenue Bonds, Series A (Rock Island Refining Corporation Project)," in the aggregate principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00) and the loaning of the proceeds thereof to Rock Island Refining Corporation and authorizing other matters relating thereto"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 501, 1976. Introduced by Councilman Tintera. The Clerk read the proposal entitled, "A Proposal for a Special Ordinance of the City of Indianapolis authorizing the final terms of the financing of economic development facilities, through the issuance and sale by the City of Indianapolis of its "7¼% Economic Development Revenue Bonds (Rock Island Refining Corporation Project)" in the aggregate principal amount of One Million Dollars (\$1,000,000.00) and the loaning of the proceeds thereof to Rock Island Refining Corporation and authorizing other matters relating thereto"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 502, 1976. Introduced by Councilman Miller. 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, Section 29-92, 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. 503, 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) transferring and appropriating Sixteen Thousand Five Hundred Dollars (\$16,500.00) in the Consolidated County Fund, for purposes of the City-County Council and reducing certain other appropriations for that department"; 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.

PROPOSAL NO. 452, 1976. The Council recessed to a Committee of the Whole at 7:14 p.m., and reconvened at 7:15 p.m. After public testimony and following discussion, Councilman Dowden announced that Proposal No. 452, 1976, had been held in Committee. Councilman Dowden moved, seconded by Councilman Tintera, that Proposal No. 452, 1976, be postponed for further discussion until the next scheduled meeting of Council to be held on November 15, 1976. The motion carried by a unanimous voice vote.

PROPOSAL NO. 462, 1976. The Council recessed to a Committee of the Whole at 7:18 p.m., and reconvened at 7:19 p.m. After public testimony and following discussion during which Councilman West spoke, Councilman West moved, seconded by Councilman Tintera, for passage of Proposal No. 462, 1976. The proposal was adopted on the following roll call vote; viz:

18 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. West
5 NOES: Mr. Anderson, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Schneider
6 NOT VOTING: Mr. Cantwell, Mr. Gorham, Mr. Kimbell, Mr. McPherson, Mr. Patterson, Mr. Walters

Proposal No. 462, 1976, was retitled FISCAL ORDINANCE NO. 120, 1976, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 120, 1976

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 (City-County Fiscal Ordinance No. 91, 1975) and appropriating an additional Three Hundred Ninety-five Thousand Two Hundred Seventy-two Dollars and Twenty-seven Cents (\$395,272.27) in the Crime Control Fund for purposes of the Prosecuting Attorney and reducing the unappropriation 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 a Careers in Crime (2nd year) Program for the Prosecutor financed by L.E.A.A. Grant No. 76DF-05-0049.

SECTION 2. The sum of Three Hundred Ninety-five Thousand Two Hundred Seventy-two Dollars and Twenty-seven Cents (\$395,272.27) 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:

Prosecutor	Crime Control Fund
31. Personnel	\$369,056.07
33. Travel	3,000.00
34. Equipment	3,794.00
35. Operating Expense	6,074.00
37. Other	<u>13,348.00</u>
Total Increases	<u>\$395,272.27</u>

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

Unappropriated and Unencumbered Crime Control Fund	Crime Control Fund
Total Reductions	<u>\$395,272.27</u> <u>\$395,272.27</u>

SECTION 5. The 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 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.

SPECIAL ORDERS, FINAL ADOPTION

President SerVaas called for any proposals to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 455, 1976. Following discussion during which Councilman Schneider spoke, Councilman Schneider moved, seconded by Councilman Hawkins, to amend Proposal No. 455, 1976, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 455, 1976, be amended as follows:

Strike said proposal as introduced and substitute therefor, the draft entitled "Proposal No. 455, 1976, Committee Recommendation."

s/Councilman Schneider

[General Counsel Memo: If this amendment is adopted, the proposal must be postponed until December 6, 1976, for advertising.]

The motion carried by a voice vote. Councilman Tintera abstained from voting and indicated that he had not received an up-to-date statement of revenues from the County Auditor.

Councilman Schneider then moved, seconded by Councilwoman Parker, to further amend Proposal No. 455, 1976, As Amended, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 455, 1976, be amended as follows:

- (a) In Section 3, strike lines 6 and 7 entirely,
- (b) In Section 4, line 6, strike the figures "\$40,203.00" and insert in lieu thereof "\$15,003.00",
- (c) In the Title, Section 2, lines 1 and 2, Section 3, line 10, and Section 4, line 18, strike the words and/or figures "Three hundred twenty thousand two hundred three dollars (\$320,203.00)" and insert in lieu thereof the words and/or figures, respectively, "Two hundred ninety-five thousand three dollars (\$295,003.00)" and;
- (d) In line 5 of Section 1, strike the words "County Sheriff".

s/Councilman Schneider

The motion carried by a unanimous voice vote. After lengthy discussion, Proposal No. 455, 1976, As Amended, was passed on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. Walters, Mr. West

3 NOES: Mrs. Brinkman, Mr. Campbell, Mr. Tintera

3 NOT VOTING: Mr. Gorham, Mr. Kimbell, Mr. Patterson

Proposal No. 455, 1976, As Amended, was retitled FISCAL ORDINANCE NO. 121, 1976, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 121, 1976

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 (City-County Fiscal Ordinance No. 91, 1975) transferring and appropriating Two Hundred Ninety-five Thousand Three Dollars (\$295,003.00) in the County General Fund for purposes of the County Election Board, County Auditor, and County Administrative Office, and reducing certain other appropriations for those and other departments of County government.

**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 additional expenses of the County Election Board, County Auditor, and County Administrative Office.

SECTION 2. The sum of Two Hundred Ninety-five Thousand Three Dollars (\$295,003.00) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>County Election Board</u>	County General Fund
10. Personal Services	\$100,000.00
<u>County Auditor</u>	
24. Current Charges	180,000.00
<u>County Administrative Office</u>	
24. Current Charges	15,003.00
Total Increases	\$295,003.00

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

<u>County Clerk</u>	
50. Properties	\$6,154.79
<u>Marion County Jail</u>	
10. Personal Services	15,003.00
<u>Presiding Judge, Municipal Courts</u>	
10. Personal Services	26,100.00
<u>Court Administration</u>	
10. Personal Services	20,000.00
50. Properties	1,500.00
<u>Juvenile Court</u>	
10. Personal Services	19,000.00
<u>Central Data Processing</u>	
24. Current Charges	22,245.21
<u>County Auditor</u>	
25. Current Obligations	185,000.00
Total Reductions	\$295,003.00

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

PROPOSAL NOS. 457-461, 1976. By consent, Proposal Nos. 457-461, 1976, were considered and voted on together. Following discussion during which Councilman Miller spoke, Proposal Nos. 457-461, 1976, were passed on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

5 NOT VOTING: Mr. Cantwell, Mr. Gorham, Mr. Kimbell, Mr. Patterson, Mr. Tinder

Proposal Nos. 457-461, 1976, were retitled GENERAL ORDINANCE NOS. 130-134, 1976, respectively, and read as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 130, 1976

A GENERAL ORDINANCE further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Section 29-92, establishing regulations, 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. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
No 4, pg 6	Westfield Rd & E 77th St	Westfield Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29 Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
No 4, pg 6	Westfield Rd & E 77th St-E Lg	Westfield Rd	Stop
No 4, pg 6	Westfield Rd & E 77th St-W Lg	Westfield Rd	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."

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

CITY—COUNTY GENERAL ORDINANCE NO. 131, 1976

A GENERAL ORDINANCE further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Section 29-92, establishing regulations, 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. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
No 22, pg 3	Country Le & Maurice Dr	Maurice Dr	Yield
No 22, pg 4	Graysford Dr & Maurice Dr	Maurice Dr	Yield
No 22, pg 4	Graysford Dr & Westridge Dr	Graysford Dr	Yield
No 22, pg 4	Lamira Le & Rodney Dr	Rodney Dr	Yield
No 22, pg 4	Lamira Le & Rodney Dr	Lamira Le	Yield

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29 Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
No 22, pg 3	Country Le & Maurice Dr	Maurice Dr	Stop
No 22, pg 4	Graysford Dr & Maurice Dr	Maurice Dr	Stop
No 22, pg 4	Graysford Dr & Westridge Dr	Graysford Dr	Stop
No 22, pg 4	Lamira Le & Rodney Dr-E Lg	Rodney Dr-E Lg	Stop
No 22, pg 4	Lamira Le & Rodney Dr-W Lg	Lamira Le	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."

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

CITY—COUNTY GENERAL ORDINANCE NO. 132, 1976

A GENERAL ORDINANCE further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Section 29-92, establishing regulations, 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. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
No 22, pg 3	Dalegard St & N Girls School Rd	(none)	None
No 22, pg 3	S Furman Av & Mortwood St	(none)	None
No 22, pg 4	Jackson St & Waynecroft Av	(none)	None
No 22, pg 4	Mortwood St & Waynecroft Av	(none)	None

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29 Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
No 22, pg 3	Dalegard St & N Girls School Rd	N Girls School Rd	Stop
No 22, pg 3	S. Furman Av & Mortwood St	S Furman Av	Stop
No 22, pg 4	Jackson St & Waynecroft Av	Jackson St	Stop
No 22, pg 4	Mortwood St & Waynecroft Av	Mortwood St	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."

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

CITY—COUNTY GENERAL ORDINANCE NO. 133, 1976

A GENERAL ORDINANCE further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Section 29-244, establishing regulations, 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. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-244, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

OVER 11,000 POUNDS GROSS WEIGHT

Moore Road, from Lafayette Road to 96th Street;

SECTION 2. 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."

SECTION 3. This Ordinance shall be in full force and effect from and after its adoption and compliance with I. C. 18-4-5-2.

CITY-COUNTY GENERAL ORDINANCE NO. 134, 1976

A GENERAL ORDINANCE further amending the "Code of Indianapolis and Marion County, Indiana," and more particularly Chapter 29, Section 29-267, 268 & 271, establishing regulations, 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. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Arlington Avenue, on both sides, from State Road 52 to Twelfth Street (pg. 2645);

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Arlington Avenue, on both sides, from Brookville Road to Ninth Street;

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

From 6:00 a.m. to 9:00 a.m.

Tenth Street, on the north side, from Sherman Drive to Arlington Avenue
(pg 2687, Supp. No. 2);

From 3:00 p.m. to 6:00 p.m.

Tenth Street, on the south side, from Sherman Drive to Arlington Avenue
(pg. 2694);

SECTION 4. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS

From 6:00 a.m. to 9:00 a.m.

Tenth Street, on the north side, from Sherman Drive to Bolton Avenue;

From 3:00 p.m. to 6:00 p.m.

Tenth Street, on the south side, from Sherman Drive to Bolton Avenue;

SECTION 5. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

Tenth Street, on both sides, from Bolton Avenue to 512 feet east of Arlington Avenue;

Arlington Avenue, on both sides from Ninth Street to Twelfth Street;

SECTION 6. 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."

SECTION 7. This Ordinance shall be in full force and effect from and after its adoption and compliance with I.C. 18-4-5-2.

PROPOSAL NO. 482, 1976. Councilman Miller announced that Proposal No. 482, 1976, will be heard at the Transportation Committee meeting scheduled for November 17, 1976, at 4:00 p.m., in Room 260 of the City-County Building.

PROPOSAL NO. 464, 1976. Following discussion during which Councilman West spoke, Councilman West moved, seconded by Councilman Howard, to amend Proposal No. 464, 1976, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 464, 1976, be amended as follows:

- (a) **In Section 2, after the "who" in line 5, insert "as a part of his regular business,"**
- (b) **In Section 2, after the word "who" in line 16, insert "as a part of his regular business,"**
- (c) **In Section 2, line 10, strike the word "their" and insert in lieu thereof the word "his"**
- (d) **In Section 2, line 12, strike the word "their" and insert in lieu thereof the word "his".**

s/Councilman West

The motion carried by a Unanimous Voice Vote. Councilman West then moved, seconded by Councilman Howard, to further amend Proposal No. 464, 1976, As Amended, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 464, 1976, be amended as follows:

In Section 2, at the end of line 29, strike the period and insert in lieu thereof "as a part of the licensee's regular business."

s/Councilman West

The motion carried by a unanimous voice vote. After considerable debate, Proposal No. 464, 1976, As Amended, was passed on the following roll call vote; viz:

25 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

4 NOT VOTING: Mr. Cantwell, Mr. Gorham, Mr. Kimbell, Mr. Patterson

Proposal No. 464, 1976, As Amended, was retitled GENERAL ORDINANCE NO. 135, 1976, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 135, 1976

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by adding a subsection to be known as Section 17-31(c)(6) to Section 17-31(c) and further amending Section 17-431 to read as follows:

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," be, and is hereby amended by adding as paragraph (6) of subsection 17-31(c) the following: In the granting or denying of any license, the controller may take into consideration the effect of the proposed business or calling upon surrounding property and upon residents or inhabitants thereof; and in granting, denying or revoking said license the controller may exercise his sound discretion as to whether said license should be granted, transferred, denied or revoked.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," be, and is hereby amended by substituting the following for Section 17-431:

(a) Pawnbrokers - For the purpose of this article pawnbroker shall mean:

1. Any person who as a part of his regular business loans money on the deposit or pledge of any personal property or thing of value, on the condition of redelivering or selling the article back again at a stipulated price.

2. Any person who shall pay cash advances on the consignment of merchandise to be sold.

3. Any person who as a part of his regular business practice shall buy pawn tickets from individuals so as to redeem and resell that merchandise.

4. Any person who shall as a part of his regular business renegotiate pawn loans between individuals and other pawnbrokers.

(b) Customer - For the purpose of this article customer shall mean:

1. Any person who as a part of his regular business deposits or pledges any personal property or thing of value with a licensee, on condition of obtaining or recovering the property back again at a stipulated price, or any person who applies for sale or sells any personal property or thing of value to a licensee.

2. Any person who shall be paid an advance on the consignment of any merchandise to be sold by a licensee.

3. Any person who shall sell pawntickets to a licensee so as the licensee may redeem and resell that merchandise.

4. Any person who shall renegotiate, with a licensee, a pawn loan between themselves and another licensee.

(c) Transaction - For the purposes of this article transaction shall mean:

1. Any sale, loan, pledge or deposit of any personal property or thing of value between a customer and a licensee as a part of the licensee's regular business.

2. Any advance payment on the consignment of any merchandise between a customer and a licensee.

3. Any sale of pawntickets by a customer to a licensee for the purposes of redemption and resale of the pawned merchandise.

4. Any renegotiation of a pawnloan by a customer and a licensee of a pawn loan between said customer and any other licensed pawnbroker.

SECTION 3. The foregoing ordinance shall be in full force and effect from and after adoption and compliance with I.C. 18-4-5-2.

PROPOSAL NO. 483, 1976. Councilman Tintera presented the Committee Report with recommendation regarding Proposal No. 483, 1976, and moved, seconded by Councilwoman Brinkman, that Proposal No. 483, 1976, be advanced on the agenda for consideration and passage. The motion carried by a unanimous voice vote. By consent, a technical amendment was made on Proposal No. 483, 1976, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 483, 1976, be amended as follows:

In Title, and in Section 1, delete "Special Resolution No. 1, 1974" and insert in lieu thereof, "Special Resolution No. 1, 1975".

s/Councilman Tintera

Councilman Tintera introduced the President and numerous staff members of New Hope Foundation of Indiana, Inc. Councilman West inquired if the civil City with proper revision would move on this proposal. Deputy Mayor Thomas Hasbrook stepped forward and explained that the Charter of the City allowed them to allow for the health and welfare of its citizens and it would be legally proper for the City to operate such facilities.

Councilman Gilmer moved, seconded by Councilman Tinder, that Proposal No. 483, 1976, As Amended, be adopted. The proposal passed on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters

1 NOE: Mr. West

5 NOT VOTING: Mr. Cantwell, Mr. Gorham, Mrs. Journey, Mr. Kimbell, Mr. Patterson

Proposal No. 483, 1976, As Amended, was retitled SPECIAL RESOLUTION NO. 16, 1976, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 16, 1976

A SPECIAL RESOLUTION acknowledging the continued willingness of the City of Indianapolis to accept the gift of certain property from New Hope Foundation of Indiana, Incorporated, free and clear of any liens or liabilities.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, did on January 20, 1975, adopt City-County Council Special Resolution No. 1, 1975 (the "Resolution"), in order to provide for the benefit of the City certain additional facilities ("Handi-Campus") in which rehabilitative and therapeutic services will be provided to physically and mentally handicapped persons in the City; and

WHEREAS, the Commissioner of Internal Revenue will not rule favorably on the Foundation's request for a ruling that the interest on bonds to finance the Handi-Campus is tax exempt unless the Resolution is amended to read as set forth hereinbelow; now, therefore:

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

SECTION 1. That the last clause of Section 1 of City-County Council Special Resolution No. 1, 1975, adopted on January 20, 1975, is hereby amended to read, ". . . and that the City presently agrees to accept a gift of the Handi-Campus free and clear of any liens or liabilities at the time the Foundation tenders the same to the City."

NEW BUSINESS

President SerVaas called for any New Business to be brought before the Council. He also announced that there would be a Christmas Party on Monday, December 13, 1976, for all Council members and their spouses.

By consent, Council moved to adjourn. Councilman West pointed out that Council Parliamentarian Robert Elrod had requested to be recognized before the meeting adjourned. President SerVaas requested all Councilmen return to their seats and honor Mr. Elrod's request.

Council Parliamentarian announced that Proposal No. 449, 1976, should be moved forward on the agenda and be considered for passage. Consent was given.

PROPOSAL NO. 449, 1976. Following discussion, Councilman West moved, seconded by Councilman McPherson, that Proposal No. 449, 1976, be amended as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 449, 1976, be amended as follows:

- (a) In line 1 of Section 3, strike the figures "\$120,000.00" and insert in lieu thereof the figures "\$40,000.00";
- (b) In line 4 of Section 4, strike the figures "\$85,600.00" and insert in lieu thereof the figures "\$32,600.00";
- (c) Strike line 5 of Section 4 entirely; and
- (d) Strike the words and/or figures "One hundred sixty-seven thousand nine hundred dollars (\$167,900.00)" where they appear in the Title, lines 1 and 2 of Section 2, line 8 of Section 3, and line 10 of Section 4, and insert in lieu thereof the words and/or figures respectively "Eighty-seven thousand nine hundred dollars (\$87,900.00)"

s/Councilman West

The motion carried by unanimous voice vote. Councilman West moved, seconded by Councilman Tintera, that Proposal No. 449, 1976, As Amended, be further amended, as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 449, 1976, be amended as follows:

- (a) In Section 3, line 7, strike the figures "\$13,900.00" and insert in lieu thereof the figures "\$7,500.00";
- (b) In Section 4, line 8, strike the figures "\$46,900.00" and insert in lieu thereof the figures "\$40,500.00";
- (c) Strike the words and/or figures "Eighty-seven thousand nine hundred dollars (\$87,900.00)" where they appear in the Title, lines 1 and 2 of Section 2, line 8 of Section 3, and line 10 of Section 4, and insert in lieu thereof the words and/or figures respectively "Eighty-one thousand five hundred dollars (\$81,500.00)";
- (d) In Section 4, line 4, strike the figures "\$32,600.00" and insert in lieu thereof "\$40,000.00"; and
- (e) Strike line 6 of Section 4 entirely.

s/Councilman West

The motion carried by voice vote. After considerable discussion, Proposal No. 449, 1976, As Amended, was passed on the following roll call vote; viz:

16 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Clark, Mr. Gilmer, Mr. Howard, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer

7 NOES: Mrs. Brinkman, Mr. Cantwell, Mr. Durnil, Mr. Hawkins, Mr. Schneider, Mr. Walters, Mr. West

6 NOT VOTING: Mrs. Coughenour, Mr. Dowden, Mr. Gorham, Mrs. Journey, Mr. Kimbell, Mr. Patterson

Proposal No. 449, 1976, As Amended, was retitled FISCAL ORDINANCE NO. 122, 1976, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 122, 1976

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1976 (City-County Fiscal Ordinance No. 91, 1975) transferring and appropriating Eighty-one Thousand Five Hundred Dollars (\$81,500.00) in the County General Fund for purposes of the Juvenile Center and Juvenile Court, and reducing certain other appropriations for those departments.

**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 increased Juvenile Center and Juvenile Court expenses.

SECTION 2. The sum of Eighty-one Thousand Five Hundred Dollars (\$81,500.00) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>Juvenile Center</u>	<u>County General Fund</u>
50 Properties	\$40,000.00
<u>Juvenile Court</u>	
21 Contractual Services	31,000.00
22 Supplies	3,000.00
50 Properties	<u>7,500.00</u>
Total Increases	<u>\$81,500.00</u>

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

<u>Juvenile Center</u>	<u>County General Fund</u>
10 Personal Services	\$40,000.00
<u>Juvenile Court</u>	
10 Services Personal	40,500.00
24 Current Charges	<u>1,000.00</u>
Total Reductions	<u>\$81,500.00</u>

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

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting was adjourned at 8:15 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, Indiana, held at its regular postponed meeting on the 3rd day of November, 1976.

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

ATTEST:


President


Clerk of the City-County Council

(SEAL)