

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, May 9, 1977**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:14 p.m., Monday, May 9, 1977, President SerVaas in the chair. Councilwoman Joyce Brinkman opened the meeting with a prayer followed by the Pledge of Allegiance.

**ROLL CALL**

President SerVaas instructed the Clerk to take the roll. Twenty-eight 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. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

**CORRECTION OF JOURNAL**

President SerVaas called for additions or corrections to the Journal of April 25, 1977, as distributed. Mr. Elrod, General Counsel, stated that certain figures on page 129 in Fiscal Ordinance No. 36, 1977, namely: 10. Services Personal \$122,176.00, 10. Services Personal (Guardian Home) \$23,526.00, 24. Current Charges (Part II) \$18,515.00, and TOTAL \$164,217.00, had been omitted. On motion duly made and seconded, the minutes were corrected and approved.

**OFFICIAL COMMUNICATIONS**

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

**April 26, 1977**

**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 April 28, 1977, and May 5, 1977, a *Notice to Taxpayers* on Proposal Nos. 108, 110, and 111, 1977 for a Public Hearing to be held on Monday, May 9, 1977, at 7:00 p.m. in the City-County Building.

**Respectfully,**

s/Beverly S. Rippy  
City Clerk

April 26, 1977

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. Rippey, the following City-County Ordinance:

**SPECIAL RESOLUTION NO. 5, 1977 authorizing certain employees of the City of Indianapolis to join in the Public Employees' Retirement Fund.**

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

PRESENTATIONS OF PETITIONS, MEMORIALS,  
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

Mr. Dowden commended Miss Elizabeth Samkowski and her staff at the Marion County Public Welfare Department for Marion County having the lowest error problem in Indiana. He requested that a newspaper article reproduction presenting these facts be given to each Council member. The Chair consented.

Councilman Gilmer requested that Miss Marilyn Ward and Miss Je-Taun Shepard, two caseworkers from the Marion County Department of Public Welfare, be allowed five minutes to express their views concerning the reductions in Proposal No. 103, 1977, at the April 25th Council meeting. Consent was given.

Miss Ward stated that the error rate had declined since the addition of eleven C.E.T.A. employees in 1974. If additional funds were not allotted, these employees would have to be released and the caseworker load would go from 110 cases to approximately 155 cases. She believed that with 155 cases per caseworker the error rate would increase. Miss Shepard concurred with Miss Ward's comments and added that with high case loads the turnover of caseworkers will become high. Also, she stated that if 58 C.E.T.A. employees are released in June, 3,300 cases will not have caseworkers.

Mr. Dowden explained that the Council gave a 5% increase in all department budgets last year for salaries and that the Council was in no way recommending the release of any employees, but in all fairness to the other departments the Council could not increase Welfare's budget.

Councilman Howard asked the Chair if a new ordinance could be introduced concerning the funding of the Public Welfare Department. The Chair stated a new proposal can be introduced at any time.

Councilman Miller introduced Mr. Art Strong, Chairman of the Mayor's Bicycle Task Force and an employee of the Department of Parks and Recreation. Mr. Strong presented a petition signed by 2,824 people interested in bicycling in Marion County and supportive of the Erie and Wabash canal bike path. Mr. Strong stated that this bike path would provide 9.3 miles of unobstructed route from Broad Ripple to downtown Indianapolis. Mr. Schneider asked how the names were obtained on the petition. Mr. Strong said a sub-committee of the Mayor's Bicycle Task Force had sent copies to the Indiana Bicycle Association. Mr. Strong requested the reinstatement of the Canal Bike Path into the Department of Transportation's Capital Budget.

Councilman Walters introduced the first and second place winners in the Mr. Indiana Contest, Eddy Love and Danny Morgan. The Mr. Indiana Contest is judged on body build developed mainly by weight lifting. Mr. Love and Mr. Morgan performed a routine which they had done for the contest.

Councilwoman Brinkman introduced Proposal Nos. 148 and 149, 1977, commending the Indianapolis Municipal Gardens - PAL Club 9 and 10, and 13 and 14 year olds Basketball Teams. After the proposals were read and the team members introduced, the Chair called the question on Proposal Nos. 148 and 149, 1977, together. The proposals passed by unanimous voice vote. They were retitled SPECIAL RESOLUTION NOS. 6 and 7, 1977, respectively, and read as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 6, 1977**

A SPECIAL RESOLUTION honoring the Indianapolis Municipal Gardens - PAL Club 13 and 14 year olds Basketball Team.

WHEREAS; the Municipal Gardens - PAL Club Team did an outstanding job in representing Indianapolis by winning the 1977 AAU Junior Olympics State Championship; and

WHEREAS; the Municipal Gardens - PAL Club Team, under Coaches Tom Taylor, Bob Plump and Bob Schroeder, have shown real determination and dedication to winning;

WHEREAS; Jim Butterworth, Keith Davis, Mark, Davis, Mike Davis, Joe Dunn, Dean Durrett, Brian Hole, Bobby Knox, Randy Knox, Keith McLaurin, James Murphy and Jon Plump worked together to defeat Gary, Indiana, 51-36; and

WHEREAS; the PAL Club Team will represent the State of Indiana in the National AAU Junior Olympic Basketball Championship Tourney in June at Frankfort, Kentucky; therefore:

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

SECTION 1. The City-County Council, on behalf of its members and for the citizens of Marion County, hereby extends a hearty congratulations to PAL Club Team Coaches Tom Taylor, Bob Plump and Bob Schroeder and their PAL Club for their victory in the 1977 AAU Junior Olympics State Championship.

SECTION 2. The City-County Council does hereby honor the Municipal Gardens - PAL Club Team for exemplifying the winning spirit.

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

SECTION 4. The Clerk of the City-County Council is instructed to suitably inscribe a copy of this resolution for delivery to Coaches Taylor, Plump and Schroeder and the Municipal Gardens - PAL Club Team.

**CITY—COUNTY SPECIAL RESOLUTION NO. 7, 1977**

A SPECIAL RESOLUTION honoring the Indianapolis Municipal Gardens - PAL Club 9 and 10 year olds Basketball Team.

WHEREAS; the Municipal Gardens - PAL Club team did an outstanding job in representing Indianapolis by winning the 1977 AAU Junior Olympics State Championship; and

WHEREAS; the Municipal Gardens - PAL Club team, under Coaches Tom Taylor and Tony Buford have shown real determination and dedication to winning; and

WHEREAS; Jeff Moe, Curtis Brooks, Jeff Green, Reggie Jones, Gary Elmore, Matt Hay, Jeff Henning, Jeff Logsdon, Peter Munson, Perry Buford and Bill Tucker worked together to defeat Evansville in the Championship Game, 37-22; and

WHEREAS; the PAL Club team will represent the State of Indiana in the National AAU Junior Olympic Basketball Championship Tourney in June; therefore:

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

**SECTION 1.** The City-County Council, on behalf of its members and for the citizens of Marion County, hereby extends a hearty congratulations to PAL Club Team Coaches Tom Taylor and Tony Buford and their PAL Club for their victory in the 1977 AAU Junior Olympics State Championship.

**SECTION 2.** The City-County Council does hereby honor the Municipal Gardens - PAL Club Team for exemplifying the winning spirit.

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

**SECTION 4.** The Clerk of the City-County Council is instructed to suitably inscribe a copy of this resolution for delivery to Coaches Taylor and Buford and the Municipal Gardens - PAL Club Team.

## INTRODUCTION OF GUESTS

Councilman Howard introduced Mr. Homer Smith, Chairman of the Indiana Council on Black Politics and Mr. Ernest Magruder, Deputy Director of the Marion County Public Welfare Department.

Councilman Dowden introduced Boy Scout Troop No. 440 and their adult leader Bill Coffey.

Councilman Gilmer introduced Mr. and Mrs. Peter Moe.

Councilman Vollmer introduced Mr. Larry Ryan and Ms. Doris Parker of the Marion County Public Welfare Board.

Councilwoman Journey introduced Mr. Reggie Jones, Director of the Indianapolis Skills Center.

## INTRODUCTION OF PROPOSALS

**PROPOSAL NO. 122, 1977.** Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional sixty-five thousand dollars (\$65,000.00) in the Market Fund for purposes of City Market Division, Department of Public Works, and reducing the unappropriated and unencumbered balance in the Market Fund"; and the President referred it to the Public Works Committee.

**PROPOSAL NO. 123, 1977.** Introduced by Councilman Tintera. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional fifteen thousand dollars (\$15,000.00) in the Park District Fund for purposes of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

**PROPOSAL NO. 124, 1977.** Introduced by Councilman Tintera. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional fifty thousand dollars (\$50,000.00) 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 and appropriating such amount from the State Revenue Sharing Fund for such purposes"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 125, 1977. Introduced by Councilman Clark. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional seventeen thousand nine hundred dollars (\$17,900.00) in the Consolidated County Fund for purposes of the Legal Division, Department of Administration, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund"; and the President referred it to the Administration Committee.

PROPOSAL NO. 126, 1977. Introduced by Councilman Hawkins. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Chapter 17 of the Code of Indianapolis and Marion County, Indiana, by adding a new Article XXVI Section 17-917, relating to license taxes for Burglar and Robbery Alarm Companies, and renumbering Article XXVI of Chapter 17, Article XXVII"; and the President referred it to the Administration Committee.

PROPOSAL NO. 127, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional three hundred seventy-nine thousand two hundred forty-five dollars (\$379,245.00) in the Reassessment Fund for purposes of various Township Assessor, County Auditor and Board of Review by reducing the unappropriated and unencumbered balance in the Reassessment Fund"; and the President referred it to the County & Townships Committee.

PROPOSAL NO. 128, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period July 1, 1977, to December 31, 1977, in anticipation of current taxes levied in the year 1976, and collectible in the year 1977, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon"; and the President referred it to the County & Townships Committee.

PROPOSAL NO. 129, 1977. Introduced by Councilwomen Brinkman and Coughenour and Councilman Vollmer. The Clerk read the proposal entitled: "A Proposal for a Special Resolution requesting the enforcement of the no-smoking ordinance in the City-County Council Chambers"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 130, 1977. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Section 6-146 of Article III, Chapter 6 of the Code of Indianapolis and Marion County, Indiana, pertaining to the amount of impoundment fees that may be levied and collected by the proper impounding authority thereunder for animals properly impounded pursuant to said article for being found running at large by the municipal dog pound division of the department of public safety"; and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 131, 1977. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional twenty-four thousand one hundred fifty dollars (\$24,150.00) in the Crime Control Fund for purposes of the County Jail and reducing the unappropriated and unencumbered balance in the Crime Control Fund"; and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 132, 1977. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional five thousand five hundred sixty-five dollars (\$5,565.00) in the Consolidated County Fund for purposes of the Air Pollution Control Division, Department of Public Works, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 133, 1977. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating five hundred dollars (\$500.00) in the Consolidated County Fund for purposes of the Air Pollution Control Division, Department of Public Works, and reducing certain other appropriations for that division"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 134, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional six hundred thirty-seven thousand dollars (\$637,000.00) in the Transportation Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation Fund"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 135, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at a certain intersection (Amends Code Section 29-92)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 136, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections (Amends Codes Section 29-92)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 137, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting stopping, standing and parking at certain times on certain days on Lesley Avenue (Amends Code Section 29-271)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 138, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance revising parking restrictions and parking meter locations on Ohio Street in downtown area and establishing a bus loading zone (Amends Code Sections 29-268, 29-271, 29-283, and 29-332)"; and the President referred it to the Transportation Committee.

PROPOSAL NOS. 139-147, 1977. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposal for Rezoning Ordinances certified from the Metropolitan Plan Commission on May 5, 1977"; and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

In reference to Proposal No. 124, 1977, Councilman Anderson asked what was the source of the funding. The Chair stated the Park District Fund was the source of funding.

Councilman Tintera made the following motion:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

I move that the City-County Council do hold, a further public hearing of Proposal No. 142, 1977, entitled "A Proposal for a REZONING ORDINANCE" as certified by the Metropolitan Development Commission as Docket No. 77-Z-33 that the Council do hereby schedule the same for a public hearing before the full City-County Council at its next regular meeting on May 23, 1977, at 7:00 p.m., or as soon thereafter as the same may be heard; and that the Clerk be and is hereby instructed to cause the proper legal notices of such hearings to be given.

s/George Tintera

The motion was seconded by Mrs. Brinkman. Following discussion, the motion, which needed 15 votes to pass, failed on the following roll call vote; viz:

14 AYES: Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder and Mr. Tintera.

12 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters.

2 NOT VOTING: Mr. Dowden and Mr. West.

**MODIFICATIONS OF SPECIAL ORDERS**

Councilman Clark made the following motion:

**CITY—COUNTY COUNCIL MOTION**

**Mr President:**

I move that the rules of the Council on preparation and introduction of proposals be suspended to allow the introduction of the attached Proposal No. 150, 1977.

s/Richard F. Clark

The motion, which needed 19 votes to pass, passed on the following roll call vote; viz:

21 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Walters and Mr. West.

2 NOES: Mr. Dowden and Mr. Schneider.

5 NOT VOTING: Mr. Clark, Mr. Durnil, Mr. Rippel, Mr. Tintera, and Mr. Vollmer.

PROPOSAL NO. 150, 1977, was entitled: "A Proposal for a General Resolution authorizing allocation and expenditures of Housing and Community Development Act of 1974 grants for calendar year 1977"; and the President referred it to the Municipal Corporations Committee.

Councilmen Vollmer and Gilmer requested investigation of DOT introduced ordinances. The Chair instructed Councilman Miller, Chairman of the Transportation Committee, to research this problem and to report at the Council meeting of May 23, 1977.

PROPOSAL NO. 99, 1977. Councilman Miller made the following motion:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

**I move that City-County Council Proposal No. 99, 1977, be placed upon the agenda of this meeting under Special Orders—Final Adoption.**

*s/Donald W. Miller*

[Clerk's Note: At this time, 8:34 p.m., Mr. Cantwell moved, seconded by Mr. Hawkins, that the Council adjourn for a one minute recess. The Chair consented. The Council reconvened at 8:44 p.m.]

Following discussion, Mr. Miller's motion passed on the following roll call vote; viz:

*15 AYES: Mr. Bayt, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. West.*

*4 NOES: Mr. Anderson, Mr. Campbell, Mr. Durnil and Mr. Schneider.*

*9 NOT VOTING: Mr. Boyd, Mrs. Brinkman, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Howard, Mrs. Journey, Mr. Rippel and Mr. Walters.*

PROPOSAL NO. 142, 1977. Mr. Durnil moved, seconded by Mr. Tintera, to reconsider the motion of Mr. Tintera to schedule Proposal No. 142, 1977, for public hearing. Following discussion, the motion passed on the following roll call vote; viz:

*17 AYES: Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.*

*11 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters.*

Following further discussion, the Chair called the question on the motion to have a public hearing on Proposal No. 142, 1977. The motion passed on the following roll call vote; viz:

*15 AYES: Mr. Anderson, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Gilmer, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Rippel, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.*

*9 NOES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Durnil, Mr. Howard, Mrs. Journey, Mr. Pearce, Mr. Vollmer and Mr. Walters.*

*4 NOT VOTING: Mr. Cantwell, Mr. Dowden, Mr. Hawkins and Mr. Schneider.*



## SPECIAL ORDERS—PUBLIC HEARING

The Chair called for proposals to be heard under Special Orders-Public Hearing.

PROPOSAL NO. 108, 1977. Mr. Clark moved, seconded by Mr. Cantwell, to postpone Proposal No. 108, 1977, until the meeting of May 23, 1977. The motion passed by unanimous voice vote. The Council recessed to a Committee of the Whole at 8:55 p.m. for a public hearing and reconvened at 8:56 p.m.

PROPOSAL NOS. 110 and 111, 1977. The motion was duly made and seconded to postpone Proposal Nos. 110 and 111, 1977, until the meeting of May 23, 1977. The motion passed by unanimous voice vote.

[Clerk's Note: At this time, with permission of the Chair, Councilman Howard left the meeting.]

## SPECIAL ORDERS—UNFINISHED BUSINESS

The Chair called for any proposals to be heard under Special Orders-Unfinished Business.

PROPOSAL NO. 107, 1977. Following discussion, Mr. Tinder moved, seconded by Mr. Pearce, to amend Proposal No. 107, 1977, by substituting Proposal No. 107, 1977, Committee Recommendations, in lieu of Proposal No. 107, 1977. The motion carried by unanimous voice vote. Mr. Tinder then gave the Rules and Policy Committee report on Proposal No. 107, 1977. Following discussion, during which Mr. Durnil stated that he believed there was not enough input from neighborhood associations, Mr. West moved, seconded by Mr. Clark, to amend Proposal No. 107, 1977, As Amended, as follows: "Insert in Section 1, line 39, after the word 'thereto' the words 'other than the answers of the staff of the Division of Planning and Zoning.'" The motion failed on the following roll call vote; viz:

8 AYES: *Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Vollmer and Mr. West.*

18 NOES: *Mr. Anderson, Mr. Bayt, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Miss Parker, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, and Mr. Walters.*

1 NOT VOTING: *Mr. Boyd.*

Following further discussion, during which the Chair instructed the Clerk to send copies of Proposal No. 107, 1977, As Amended, to all Marion County neighborhood associations, Proposal No. 1977, As Amended, passed on the following roll call vote; viz:

25 AYES: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Walters and Mr. West.*

2 NOES: *Mr. Durnil and Mr. Vollmer.*

Proposal No. 107, 1977, As Amended, was retitled GENERAL ORDINANCE NO. 20, 1977, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 20, 1977

A GENERAL ORDINANCE amending the rules of the Council to establish procedures for hearings on Rezoning Ordinances. [Amends Code Section 2-112.]

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

SECTION 1. Chapter 2 of the Code of Indianapolis and Marion County, specifically Section 2-112 be, and the same is, hereby amended by inserting the words underlined so as to read as follows:

Sec. 2-112. Special Procedures for Rezoning Ordinances.

(a) Ordinances amending zoning regulations in Marion County may be amended or rejected only after the Council holds a public hearing pursuant to IC 18-7-2-44. Whenever pursuant to IC 18-7-2-43 the Council schedules such a public hearing, the rules set forth in this section shall apply.

(b) After such public hearing is scheduled by vote of the Council, a preliminary investigation shall proceed as follows:

(1) The Clerk shall notify the Administrator of the Division of Planning and Zoning within two (2) days after a rezoning hearing is scheduled, and the Administrator shall distribute in writing to all council members and the general counsel the staff comments and any other information deemed by him relevant to the matter to be heard. Such materials shall be mailed at least seven (7) days prior to the hearing date.

(2) Any interested party may distribute any relevant written materials to council members, provided all such information is distributed to all council members. Such materials will be distributed to council members by the Clerk's staff if 35 copies are delivered at the staff conference provided in paragraph (3) of this subsection.

(3) The General Counsel shall conduct a preliminary staff conference on all rezoning petitions on the Wednesday immediately preceding the scheduled hearing beginning at 2 p.m. in the Clerk's offices. The petitioner(s) and any remonstrator(s) each shall be represented at such conference by not more than two persons for each side, one of whom may be their attorney.

(4) The purpose of the staff conference shall be to insure agreement as to the procedures for the public hearing, to promote agreement on order of presentation, to list witnesses and exhibits, and to narrow issues to be heard.

(c) Order of Public Hearings:

(1) Councilman requesting hearing (2 minutes)

(2) Petitioner(s) presentation (20 minutes or less)

(3) Remonstrator(s) presentation (20 minutes or less)

(4) Public comment from any citizen who has an interest distinct from that represented by petitioner(s)' or remonstrator(s)' (2 minutes or less each)

(5) Council questioning and debate

(A) Each council member has the floor only once for not more than 2 minutes, except the council member requesting the hearing may have an additional 5 minutes to close.

(B) All questions by council members and the responses shall be counted within the time allocated in subparagraph (A).

(6) Petitioner(s) to close (remainder of 20 minutes if any)

(7) Remonstrator(s) to close (remainder of 20 minutes if any)

(8) Hearing ends—Petition is Decided.

(d) The petitioner(s) and remonstrator(s) each shall have 20 minutes total per side for presentation and closing, which may be used at their discretion. All testimony, except public comment and questions by council members and the response thereto, shall be treated as part of either the petitioner(s)' or remonstrator(s)' time whether or not called by a party.

(e) If either party is of the opinion that the issues are sufficiently complex to justify additional time, such request shall be made at the staff conference and decided by the council prior to the hearing. No additional time shall be allowed after the hearing begins except by action suspending these rules.

(f) A proposal for a rezoning ordinance may be adopted as other ordinances are adopted or, after public hearing, amended or rejected by a vote of two-thirds of the members of the city-county council. Any other vote shall be indecisive and the proposal shall be considered postponed indefinitely, unless stricken from the files.

SPECIAL ORDERS—FINAL ADOPTION

The Chair called for proposals to be heard under Special Orders—Final Adoption.

PROPOSAL NOS. 139-141 and 143-147, 1977. No action was taken on Proposal Nos. 139-141 and 143-147, 1977, and they were retitled REZONING ORDINANCES NOS. 53-60, 1977, and read as follows:

REZONING ORDINANCE NO. 53, 1977. 77-Z-13 DECATUR TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
4701 MANN ROAD, INDIANAPOLIS  
Eastside Properties, Inc. by James R. Nickels, Attorney, One Indiana Square No. 2050 requests rezoning of 61.10 acres, being in SU district, to C-4 classification to permit commercial development.

REZONING ORDINANCE NO. 54, 1977. 77-Z-25 LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 3  
7502 EAST 86TH STREET, INDIANAPOLIS  
Marian D. Reavis and Clem & Ruth Church by John B. Urbans, Agent, 211 North Delaware Street request rezoning of 12.40 acres, being in A-2 district, to C-1 classification to permit office use.

REZONING ORDINANCE NO. 55, 1977. 77-Z-26 LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 3  
8750 HAGUE ROAD, INDIANAPOLIS  
Marian D. Reavis and Clem & Ruth Church by John B. Urbans, Agent, 211 North Delaware Street request rezoning of 28.42 acres, being in A-2 district, to C-1 classification to permit office use.

REZONING ORDINANCE NO. 56, 1977. 77-Z-41 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 24  
602 SOUTH 9TH AVENUE, BEECH GROVE, INDIANA  
Ascension Lutheran Church by Kenneth Christy, President and Robert M. Polk, Trustee, 602 South 9th Avenue, Beech Grove, Indiana request rezoning of 5.27 acres, being in D-3 district, to SU-1 classification to permit church uses.

REZONING ORDINANCE NO. 57, 1977. 77-Z-42 FRANKLIN TOWNSHIP,  
COUNCILMANIC DISTRICT NO. 13  
3211 SOUTH SENOUR ROAD, INDIANAPOLIS  
Today Incorporated by Robert L. Montgomery, President, requests rezoning of 121.39 acres, being in GSB & A-2 districts, to GSB (Gravel, Sand & Borrow) classification to permit the extraction of gravel, sand and borrow.

REZONING ORDINANCE NO. 58, 1977. 77-Z-45 DECATUR TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
4823 WEST EDWARDS AVENUE, INDIANAPOLIS  
Cathedral of Prayer Baptist Church by Richard L. Brown, Attorney, 156 East Market Street requests rezoning of 7.25 acres, being in A-2 district, to SU-1 classification to permit a church.

REZONING ORDINANCE NO. 59, 1977. 77-Z-61 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 11  
2702-06 NORTH TACOMA STREET, INDIANAPOLIS  
Department of Metropolitan Development, Division of Urban Renewal by David D. Whitcher, Assistant Administrator for Project Planning Engineering and Development 1942 City-County Building requests rezoning of 0.38 acre, being D-8 district, to SU-1 classification to permit parking facilities for church use.

REZONING ORDINANCE NO. 60, 1977. 77-Z-65 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 9  
1427 WEST 30TH STREET, INDIANAPOLIS  
City of Indianapolis, Department of Parks & Recreation by Ray Crowe, Director, 1426 West 29th Street requests rezoning of 5.66 acres, being in D-9 district, to PK-1 classification to provide park facilities.

PROPOSAL NO. 99, 1977. Councilman Miller presented a brief report about this proposal which concerns the canal bike path. Following discussion, Mr. Cantwell moved, seconded by Mr. Walters, to refer Proposal No. 99, 1977, back to the Transportation Committee.

[Clerk's Note: At this time, 9:40 p.m., Mr. Clark moved, seconded by Mr. Cantwell, to recess for five minutes. The Chair consented. The Council reconvened at 9:50 p.m.]

Mr. Cantwell's motion passed on the following roll call vote; viz:

15 AYES: Mr. Anderson, Mr. Bayt, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mrs. Journey, Mr. McPherson, Mr. Rippel, Mr. Schneider, Mr. Vollmer and Mr. Walters.

12 NOES: Mr. Boyd, Mrs. Brinkman, Mr. Gilmer, Mr. Kimbell, Mr. Miller, Miss Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.

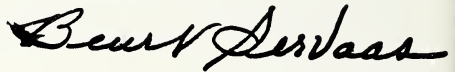
ANNOUNCEMENTS AND ADJOURNMENT

There be no further business and after motion duly made and seconded, the meeting adjourned at 9:51 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, held at its Regular Meeting on the 9th day of May, 1977.

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)