

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, August 1, 1977**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, convened in the Council Chambers of the City-County Building at 7:10 p.m., Monday, August 1, 1977, President SerVaas in the Chair. The Reverend Dr. James Leith from Irvington United Methodist Church opened the meeting with a prayer, followed by the Pledge of Allegiance lead by Councilman Richard Rippel.

ROLL CALL

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, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, 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.

CORRECTION OF JOURNAL

President SerVaas stated that due to equipment malfunctions the minutes of July 18, 1977, had not been distributed.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, August 1, 1977, 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**

July 19, 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 News and Indianapolis Commercial on July 21, 1977, and July 28, 1977, a *Notice to Taxpayers* on Proposal Nos. 248, 249, and 274, 1977, for a Public Hearing to be held on August 1, 1977, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippe
City Clerk

July 21, 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. Rippe, the following City-County Ordinances:

SPECIAL RESOLUTION NO. 8, 1977 commending Frank Murray.

SPECIAL RESOLUTION NO. 11, 1977 commemorating the participants in the "Save the Pacers" campaign.

SPECIAL RESOLUTION NO. 12, 1977 confirming prior action taken pursuant to Special Resolution No. 1, 1974, amended by Special Resolution No. 483, 1976, approving among other matters New Hope Foundation of Indiana, Inc., and the New Hope Foundation of Indiana Inc. Health Care Facilities First Mortgage Gross Revenue Bonds, Series 1977 (the "Bonds"), those being the final form of the specific obligations to be issued by New Hope Foundation of Indiana, Inc.

SPECIAL RESOLUTION NO. 14, 1977 directing the Indianapolis-Marion County Building Authority to revise the telephone charge system so that users will pay for services provided and costs of service will not be in the 1978 rentals.

GENERAL ORDINANCE NOS. 39-52, 1977 amending the Code of Indianapolis and Marion County, Indiana, Section 29-92.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

PRESENTATIONS OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 297, 1977. Mr. Clark introduced and read this proposal approving the appointment of David R. Frick as Deputy Mayor. After noting Mr. Frick's credentials, Mr. Clark moved, seconded by Mr. Cantwell, for the adoption of Proposal No. 297, 1977. The motion carried by unanimous voice vote. Proposal No. 297, 1977, was retitled COUNCIL RESOLUTION NO. 17, 1977, and reads as follows:

- V_u is Volume contribution per user per a unit of time.
- V_T is Total volume contribution from all users per a unit of time (does not include infiltration, inflow and unmetered.)
- I is Industrial surveillance cost per a unit of time.
- I_u is Industrial surveillance cost per a unit of industrial volume per a unit of time.
- R is user's charge for operation and maintenance per a unit of time.
- V_R is Total Wastewater contributed by residential customers per a year.
- T_c is Total number of connections to the system.

Application of Rates

Until amended, the following rates or factors shall apply:

- V_c = \$0.42 per 1,000 gallons
- I_c = \$0.015 per 1,000 gallons
- B_c = \$0.026 per pound
- S_c = \$0.045 per pound
- C_c = \$1.17 per month

Minimum Charge and Base Level

The minimum charge on any monthly billing for an industrial user shall be \$3.13 and non-industrial user shall be \$3.00. Further, for the purpose of the foregoing formulae, the BOD base level shall be 250 milligrams per liter and SS base level shall be 300 milligrams per liter. The industrial and non-industrial rates and charges will be based on the quantity of water used on or delivered to the property or premises subject to such rates and charges, as the same is measured by the water meters in use and the strength of the waste where applicable except as hereinafter provided.

Sec. 27-103. Industrial Cost Recovery Charge Imposed. For each industrial user of the waste water works, or part thereof that was constructed in whole or in part with Federal Construction Grants made to the City pursuant to the Federal Water Pollution Control Act Amendments of 1972, said industrial user shall be charged and pay to the City that portion of the cost of construction of the waste water works which allocable to the treatment and transportation of such industrial waste to the extent attributable to the Federal share of the cost of construction. The board of public works is hereby empowered to establish, by resolution, such industrial cost recovery rates consistent with Federal law, U.S. Environmental Protection Agency Rules and Guidelines, as soon as practical after the final Federal grant or grants amounts have been determined. No such rate shall be established until after a public hearing. Said public hearing shall be in accordance with the procedures set forth in IC 19-2-14-4.

Sec. 27-104. Billing Estimates and Reports.

(a) In the event a non-industrial user subject to such rates and charges is not served by a public water supply or water used is not completely metered, the director shall have the authority to estimate the volume and strength of the waste and use such estimate for the purposes of billing rates and charges. The estimates shall be based upon analysis and volumes of a similar installation or the volume and analysis as determined by measurements and samples taken by the director or an estimate determined by the director or by any combination of the foregoing or other equitable method.

(b) Unless otherwise established by the director, each industrial user subject to the rates and charges shall report to the director by the 10th day of the following month on a form prescribed by the director an estimate of the volume discharged in the prior month and a representative value of the strength of the waste, including but not limited to BOD, S.S. and Nitrogen. All measurements, tests and analyses of the characteristics of such waste shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage" as published jointly by the American Public Health Association and the Water Pollution Control Federation consistent with 40 CFR Part 136 or by other methods generally accepted under established sanitary engineering practices and approved by the director. The reports submitted shall be subject to verification by the director but may serve as the basis for billing with all necessary adjustments in the amounts to be made after verification. In the event an analysis and volume of the industrial waste is not furnished to the director by the aforementioned time, the charges shall be based upon estimates made by the director, as provided in Section 27-104(a).

(c) The director shall have the right to enter upon the land of the industrial user and to set up such equipment as is necessary to verify the reports submitted. It shall be the duty of the industrial user to provide all necessary clearance before entry and not to unnecessarily delay or hinder the director in carrying out the measuring and sampling. The right of entry shall exist during any time the industrial user is operating or open for business.

(d) In cases where measurements are difficult to make, or the industrial waste composition changes frequently, or representative samples are difficult to get, or where other methods of measurement are necessitated for other sound engineering reasons as determined by the director, the director shall have the authority to use such other basis for determining said charges as shall be reliably indicative of volume and BOD, S.S., and Nitrogen strengths of particular industrial waste, such as, but not limited to, water purchase or usage, character of products, comparisons between the industrial user data and collected data from like industries.

(e) The cost of all tests, measurements and analyses taken by the Director pursuant to the Department of Public Works' responsibility to perform "Industrial Monitoring Programs" defined and directed by local, state and Federal agencies shall be charged to the Industrial User tested in an amount equal to the actual average cost of said test, measurement or analysis as determined at the close of each calendar year. These costs shall be due and payable as provided in this Division.

Sec. 27-105. Contract for Billing by the Indianapolis Water Company.

(a) The board is authorized to enter into a contract with the Indianapolis Water Company for the use of its services in ascertaining water volume to be utilized in determining charges imposed by this Ordinance and in billing for and collecting such charges and for the payment to it of just and reasonable compensation for its said services.

(b) Billings for such rates and charges provided for by this Ordinance shall be made in a cycle which coincides with the billing procedure of the Indianapolis Water Company, or in the case where the person subject to such rates and charges is not a customer of the Indianapolis Water Company, such billing cycle shall be determined by the director.

(c) Rates and charges shall be due to the department of public works within seventeen (17) days after mailing of billings. All payments made by a person based upon the reports submitted as provided for in this division shall become final unless verification is made and notice given by the director of necessary adjustments within one (1) year of said payment. Underpayment of charges based on errors in users' reports and estimates shall be billed on ascertainment thereof. Overpayment of charges arising from any cause shall first be applied to unpaid billings.

Sec. 27-106. Use by Other Political Subdivisions. No use of the waste water works shall be allowed by any other political subdivision of the State unless and until the director shall have determined that all rates and charges including industrial cost recovery of such political subdivision are consistent with this Ordinance, the laws of the United States and regulations of the U.S. Environmental Protection Agency.

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"Person" shall mean any individual, partnership, trust, firm company, association, society, corporation, group, governmental agency, including but not limited to, the United States of America, the State of Indiana and all political subdivisions, authorities, districts, departments, agencies, bureaus and instrumentalities thereof, or any other legal entity.

"pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Properly shredded garbage" shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

"Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

"Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

"Sewage normally discharged by a residence" shall mean the liquid waste contributed by a residential living unit and shall not exceed a volume of ten thousand five hundred (10,500) gallons per month, thirty (30) pounds of BOD per month and thirty-five (35) pounds of suspended solids per month.

"Sewer" shall mean a pipe or conduit for carrying sewage.

"Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than (5) times the average twenty-four-hour concentration or flow during normal operation.

"Storm drain or storm sewer" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

"Suspended solids (S.S.)" shall mean solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by laboratory filtering.

"Waste water" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

"Waste water treatment plant" shall mean any arrangement of devices and structures used for treating sewage.

"Waste water works" shall mean all facilities for collecting, pumping, treating and disposing of sewage and/or industrial waste.

"Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 2. Article 4 of Chapter 27 of the Code of Indianapolis and Marion County, and is hereby amended by adding the following new division:

DIVISION 3. SEWER USER CHARGE AND INDUSTRIAL COST RECOVERY CHARGE

Sec. 27-101. Sewer User Charge Imposed. Effective November 1, 1977, there is hereby imposed a sewer user charge payable to the department of public works upon each person owning or occupying real estate that is connected with and uses the waste water works whether or not real estate taxes are imposed pursuant to IC 19-2-14 upon such real estate.

Sec. 27-102. Rates Established. The sewer user charge imposed by this division shall be based upon the following general formulae:

$$V_T = V_{u_1} + V_{u_2} + \dots + V_{u_n}$$

$$V_c = \frac{C_T + C_I + C_{I'} + C_u + C_E + 0.25(C_I + C_{I'} + C_u)}{V_T}$$

$$C_c = \frac{0.75(C_I + C_{I'} + C_u)}{T_c} \cdot 12$$

Non-Industrial User

$$R = V_u (V_c) + C_c$$

Industrial User

$$R = V_u (V_c) + B_c (B) + S_c (S) + N_c (N) + P_c (P) + V_u (I_u) +$$

Where

C_c is Availability of service charge per month.

C_T is Total operation and maintenance cost per a unit of time.

C_I is Operation and maintenance cost to transport and treat infiltration per a Unit of time.

$C_{I'}$ is Operation and maintenance cost to transport and treat inflow per a unit of time.

C_u is Operation and maintenance cost to transport and treat unmetered water per a unit of time.

C_E is Operation and maintenance cost to treat wastes in excess of base level strength.

V_c is Operation and maintenance cost to transport and treat a unit of users wastes equal to or below the base level strength.

B_c is Operation and maintenance cost to treat a unit of BOD.

S_c is Operation and maintenance cost to treat a unit of SS.

N_c is Operation and maintenance cost to treat a unit of nitrogen.

P_c is Operation and maintenance cost to treat any other pollutant.

B is Amount of BOD from a user above a base level.

S is Amount of SS from a user above a base level.

N is Amount of Nitrogen from a user above a base level.

P is Amount of any other pollutant from a user above a base level.

18 AYES: Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Chambers, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Pearce, Mr. SerVaas, Mr. Tindler, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

11 NOES: Mr. Anderson, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Howard, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Rippel and Mr. Schneider.

Proposal No. 290, 1977, As Amended, was retitled COUNCIL RESOLUTION NO. 18, 1977, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 18, 1977

A COUNCIL RESOLUTION authorizing the allocation of public service employment expenditures from federal grants pursuant to the Comprehensive Employment and Training Act of 1973, as amended.

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

SECTION 1. From the amounts appropriated by City-County Fiscal Ordinance No. 52, 1977, the City-County Council hereby authorizes and approves the allocation of such appropriations for the programs and purposes set forth in the attached schedule in amounts not to exceed those stated, to wit:

**COMPREHENSIVE EMPLOYMENT AND TRAINING ACT
SPECIAL PROJECT
Requests for Funding**

DEPARTMENT/AGENCY PROJECT PROGRAM PURPOSE	POSITION TITLE	NO. POS.	NO. MOS.	PROPOSED MAX. TOTAL BUDGET
I.U.P.U.I.				
A. Conduct a survey of resources in the Indianapolis area of other resources that serve the needs of women regarding changes in life patterns and career opportunities.	Research Assistant	1	4	2,400
B. Conduct research into special scholarships and grants available nationally for older women returning to school.	Research Assistant	1	6	3,600
C. Provide life and career planning workshops through community multi-service centers and high schools.	Group Facilitator	1	5	3,500
	Secretary	1	5	2,770
		2		6,270
D. Coordinate the multiplicity of efforts being made to serve the displaced homemaker.	Community Organizer	1	6½	4,875
E. Coordinate a talent bank of women with non-traditional career goals and skills.	Program Adm.	1	12	9,300

F.	Develop and present series of seminar programs of interest to women. (Female Ex-Offender, Women as Consumers).	Program Adm. Secretary	1 <u>1</u> 2	12 12	9,300 6,648
G.	General painting projects, such as, Union Building and Single Student Dorms.	Apprentice Painters	6	12	59,904
H.	Removal and replacement of curbs and sidewalks along West Street and Lansing Street. Preparing for and landscaping the area twenty feet on both sides of West Michigan.	Crew Leaders Laborers	5 <u>45</u> 50	3 3	9,600 59,400 69,000

University Heights Hospital

Provide lawn care and general housekeeping services at the Hospital.	Main. Handyman Housekeeping Serviceman	2 <u>2</u> 4	12 12	12,192 12,192
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SECTION 2. The appropriate departments and agencies of the Consolidated City are authorized to take such actions as are necessary to effect the programs and purposes approved in Section 1 for the period of time therein stated.

PROPOSAL NO. 226, 1977. The Council recessed to a Committee of the Whole at 7:58 p.m. and reconvened at 7:59 p.m. Following public hearing, this proposal was postponed until the Council meeting of August 22, 1977.

PROPOSAL NO. 248, 1977. The Council recessed to a Committee of the Whole at 7:59 p.m. and reconvened at 8:00 p.m. Following public hearing, this proposal was postponed until the Council meeting of August 22, 1977.

PROPOSAL NO. 249, 1977. The Council recessed to a Committee of the Whole at 8:00 p.m. and reconvened at 8:01 p.m. Following public hearing, this proposal was postponed until the Council meeting of August 22, 1977.

PROPOSAL NO. 274, 1977. The Chairperson of the Municipal Corporation Committee, Paula Chambers, presented the committee report and recommended the postponement of this proposal until the meeting of August 22, 1977. The Council recessed to a Committee of the Whole at 8:01 p.m., during which time Mr. Bill Crawford and Mr. John Day, State Representatives, spoke in favor of this proposal. Mr. John McLane stated he felt the following should be published to inform taxpayers before the Council considered passage of the proposal: (1) Has the Metro eliminated unprofitable routes; (2) has service during unprofitable time periods been eliminated; and (3) have extraneous costs been eliminated? The Council reconvened at 8:10 p.m.

SPECIAL ORDERS – UNFINISHED BUSINESS

PROPOSAL NO. 168, 1977. This proposal was postponed until the meeting of September 21, 1977.

PROPOSAL NO. 169, 1977. Councilman Tinder recommended the substitution of Proposal No. 169, 1977, was Proposal No. 169, 1977, Committee Recommendations. Because not all the Council members had received a copy of Proposal No. 169, 1977, Committee Recommendations, the Chair stated this proposal would be heard under Special Orders - Final Adoption.

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NOS. 217-223, 1977. Councilman Rippel presented the committee report and then requested that these proposals be heard as a whole. Consent was given. The proposals were adopted on the following roll call vote; viz:

29 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, 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.

Proposals Nos. 217-233, 1977, were retitled GENERAL ORDINANCE NOS. 54-60, 1977, and read as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 54, 1977

A GENERAL ORDINANCE restricting trucks over 11,000 pounds gross weight from a certain street [Amends Code Section 29-224]

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-224, 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

Twenty-sixth Street, from Harding Street to Burton Street;

PART II

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY for violations of the sections amended by this ordinance.

PART III

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1977

A GENERAL ORDINANCE restricting trucks over 11,000 pounds gross weight on certain streets [Amends Code Section 29-224]

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-224, 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

Eighty-fourth Street, from College Avenue to Evergreen Avenue;
Evergreen Avenue, from Eighty-fourth Street to Eighty-fifth Street;

PART II

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY for violations of the sections amended by this ordinance.

PART III

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1977

A GENERAL ORDINANCE restricting parking on a certain street by establishing a parking meter zone [Amends Code Section 29-283]

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-283, Parking meter zones designated," be, and the same is, hereby amended by the addition of the following, to wit:

TWO HOURS

Thirteenth Street, on the south side, from Meridian Street to Illinois Street;

PART II

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY for violations of the section amended by this ordinance.

PART III

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

CITY-COUNTY GENERAL ORDINANCE NO. 57, 1977

A GENERAL ORDINANCE restricting trucks over 11,000 pounds gross weight on certain street [Amends Code Section 29-224]

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-224, 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

Twenty-fourth Street, from Hillside Avenue to Keystone Avenue;

PART II

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY for violations of the sections amended by this ordinance.

PART III

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

CITY—COUNTY GENERAL ORDINANCE NO. 58, 1977

A GENERAL ORDINANCE establishing four-way stops at certain intersections [Amends Code Section 29-92]

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-92. 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 3, pg 1	Brewster Rd & Lancaster Rd	Brewster Rd	Stop
No 3, pg 1	Brewster Rd & Shagbark Rd	(none)	None
No 3, pg 3	Harcourt Rd & W 79th St	W 79th St	Stop

PART II

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-92. 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 3, pg 1	Brewster Rd & Lancaster Rd	(none)	Stop
No 3, pg 1	Brewster Rd & Shagbark Rd	(none)	Stop
No 3, pg 3	Harcourt Rd & W 79th St	(none)	Stop

PART III

Violations of this ordinance shall be subject to those penalties now provided in the CODE OF INDIANAPOLIS AND MARION COUNTY for violations of the sections amended by this ordinance.

PART IV

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

CITY—COUNTY GENERAL ORDINANCE NO. 59, 1977

A GENERAL ORDINANCE establishing a weight limit on a certain street [Amends Code Section 29-224]

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

PART I

Chapter 29 of the CODE OF INDIANAPOLIS AND MARION COUNTY, specifically "Sec. 29-224, 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
East Fifty-sixth Street, from Emerson Avenue east to Interstate 465.

PART II

Violations of this ordinance shall be subject to those penalties now provided in the **CODE OF INDIANAPOLIS AND MARION COUNTY** for violations of the sections amended by this ordinance.

PART III

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

CITY—COUNTY GENERAL ORDINANCE NO. 60, 1977

A **GENERAL ORDINANCE** changing intersection controls at a certain intersection [Amends Code Section 29-92]

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

PART I

Chapter 29 of the **CODE OF INDIANAPOLIS AND MARION COUNTY**, specifically "Sec. 29-92. 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 20, pg 7	N Richardt Av & E 35th St	E 35th St	Stop

PART II

Chapter 29 of the **CODE OF INDIANAPOLIS AND MARION COUNTY**, specifically "Sec. 29-92. 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 20, pg 7	No Richardt Av & E 35th St	N Richardt Av	Stop

PART III

Violations of this ordinance shall be subject to those penalties now provided in the **CODE OF INDIANAPOLIS AND MARION COUNTY** for violations of the sections amended by this ordinance.

PART IV

This ordinance shall be in full force and effect from and after its adoption and compliance with Indiana Code Section 18-4-5-2.

PROPOSAL NO. 224, 1977. This proposal was postponed until the meeting of August 22, 1977.

PROPOSAL NO. 225, 1977. This proposal was postponed until the meeting of August 22, 1977.

PROPOSAL NO. 247, 1977. Councilman Schneider presented the County Townships Committee report and then moved for the adoption of Proposal No. 247, 1977, Committee Recommendations. The motion carried by unanimous voice vote. The Committee Recommendations version of Proposal No. 247 restores the number of employees in Center Township to the current number employed.

[Clerk's Note: The Chair called a three minute recess at 8:22 p.m. to provide the Council members with time to study Proposal No. 247, 1977, Committee Recommendations. The meeting reconvened at 8:26 p.m.]

Mr. Tintera moved the following technical amendment, seconded by Mr. Schneider:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 247, 1977, As Amended, as follows:

A 5% increase to Poor Relief of Center Township be granted provided the following conditions are met:

- 1. The City-County Council be able to staff one position in the Center Township Trustee's office in the dispersement section of Poor Relief.**
- 2. The Council be able to staff one case worker in order to audit the effectiveness of the caseworkers.**

s/George Tintera

General Counsel Robert Elrod stated that the Council cannot force the Center Township Trustee to hire someone he doesn't want to hire. Mrs. Journey called upon the Center Township Attorney, Mr. Chavis, to provide an opinion. Mr. Chavis stated the preceding amendment was in violation of separation of powers in accordance with Burns' Statutes. Following lengthy discussion, Mr. Tintera moved, seconded by Mr. Schneider, to withdraw his amendment. The motion carried by unanimous voice vote.

Mrs. Brinkman stated how the Pike Township Small Claims Court was one of the most profitable in the county. She then made the following motion:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 247, 1977, Committee Recommendations, as follows:

In Section 7, insert a new line 11A to read as follows:

Clerk V	1	8,270	8,270
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Delete line 14, and insert a new line 14 to read as follows:

TOTAL	11	71,065
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s/Joyce Brinkman

Mrs. Brinkman further explained that this employee's salary would be paid by property tax and not CETA funds. Her motion failed on voice vote.

The Chair then called for the vote on Proposal No. 247, 1977, As Amended. The proposal was adopted on the following roll call vote; viz:

28 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. McGrath, 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.

NO NOES.

1 NOT VOTING: Mrs. Journey.

Mrs. Journey explained that since she is employed by the Center Township Trustee's office, she did not vote on proposals concerning that office.

Proposal No. 247, 1977, As Amended, was retitled GENERAL ORDINANCE NO 61, 1977, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO.61, 1977

A GENERAL ORDINANCE fixing the salaries to be paid all elected and appointed officers and employees of the various townships in Marion County, Indiana, pursuant to IC 17-4-28.

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

SECTION 1. Authority Exercised. The maximum salaries to be paid all elected and appointed officers and employees of the various townships in Marion County, Indiana, excluding Constables, Township Assessors, and the deputies and employees of the township assessors, are hereby fixed at the amounts hereinafter stated in this ordinance pursuant to the authority and duty established by IC 17-4-28, each of which salaries is not more than the amount recommended for that position by the respective Township Advisory Board, and is not less than the minimum salary provided by law.

SECTION 2. Center Township. The maximum salaries of the elected and appointed officers and employees of Center Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	ANNUAL NUMBER OF PERSONNEL	RATE OF COMPENSATION	TOTAL COMPEN
Township Trustee	1	14,500	14,50
Township Clerk	1	12,428	12,42
Advisory Board Members	3	600	1,80
Clerk for Justice of the Peace	4	7,415	29,66
Judge for Small Claims Court	1	12,000	12,00
POOR RELIEF PERSONNEL			
Chief Supervisor	1	10,629	10,62
Suprs. of Investigators	3	8,999	26,99
Suprs. of Assistance	2	8,999	17,99
Assistant Supervisors	2	7,823	15,64
Investigators, III Class	16	7,095	113,52
Investigators, II Class	4	6,758	27,03
Investigators, I Class	2	6,434	12,86
Executive Secretaries	3	7,455	22,36
Bookkeeping Supervisor	1	7,823	7,82
Bookkeepers	1	6,434	6,43

Sr. Account Clerk	3	6,434	19,302
Payroll Bookkeeper	1	6,434	6,434
Account Clerks	2	6,434	12,868
Bookkeeping Machine Operators II	2	6,200	12,400
Senior Stenographers	6	6,129	36,774
Senior Clerks	15	5,905	88,575
Technical Clerk-Typists	11	6,758	74,338
Clerk-Typists	5	5,650	28,250
Stock	1	5,650	5,650
Receptionists	6	5,500	33,000
Record File Clerks	6	5,650	33,900
Clerks	10	5,650	56,500
Staff Consultant	1	11,550	11,550
Asst. Staff Consultant	1	8,820	8,820
Mental Health No. 2	1	8,925	8,925
Mental Health No. 1	1	7,718	7,718
Personnel Officer	1	6,434	6,434
Bookkeeper, Rev. Sharing	1	8,868	8,868
Sr. Clerk-Typist			
Rev. Sharing	1	7,804	7,804
Special Investigators	2	7,875	15,750
TOTAL	122		815,560

SECTION 3. Decatur Township. The maximum salaries of the elected and appointed officers and employees of Decatur Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	3,750	3,750
Township Clerk	1	2,870	2,870
Advisory Board Members	3	250	750
Clerk for Small Claims Court	1	5,600	5,600
Judge for Small Claims Court	1	7,500	7,500
POOR RELIEF PERSONNEL			
Supervisor & Investigator	1	4,000	4,000
OTHER EMPLOYEES			
Township Attorney	1	200	200
TOTAL	9		24,670

SECTION 4. Franklin Township. The maximum salaries of the elected and appointed officers and employees of Lawrence Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	2,400	2,400
Township Clerk	1	1,200	1,200
Advisory Board Members	3	200	600
FIRE DEPARTMENT PERSONNEL			
Chief of Twnshp. Fire Prevention Bureau	1	3,900	3,900
Clerk of Twnshp. Fire Prevention Bureau	1	520	520
POOR RELIEF PERSONNEL			
Suprs. of Investigators	1	1,440	1,440
TOTAL	8		10,060

SECTION 5. Lawrence Township. The maximum salaries of the elected and appointed officers and employees of Lawrence Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	7,000	7,000
Township Clerk	1	5,670	5,670
Advisory Board Members	3	500	1,500
Judge for Small Claims Court	1	12,000	12,000
Clerks for Small Claims Court	3	6,720	20,160
Clerk for Small Claims Court	1	6,090	6,090
FIRE DEPARTMENT PERSONNEL			
Firemen-First Class	3	11,025	33,075
Firemen-Second Class	3	10,290	30,870
Firemen-Third Class	3	9,702	29,106
POOR RELIEF PERSONNEL			
Suprs. of Investigators Clerk	1	7,865	7,865
Investigators (part-time)	2	3,969	7,938
OTHER EMPLOYEES			
Co-ordinator-Twp. Fire Prev. Bureau & Train.	1	11,025	11,025
Part-time Clk. for Fire Prev.	1	1,100	1,100
TOTAL	24		173,399

SECTION 6. Perry Township. The maximum salaries of the elected and appointed officers and employees of Perry Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	8,000	8,000
Township Clerk	1	8,269	8,269
Advisory Board Members	3	550	1,650
Clerk for Small Claims Court	2	8,269	16,538
Judge for Small Claims Court	1	12,000	12,000
FIRE DEPARTMENT PERSONNEL			
Probationary Firefighter	1	10,921	10,921
Firefighter I	3	10,968	32,904
Firefighter II	1	11,363	11,363
Chauffeurs	21	12,088	253,848
Total Longevity		8,100	8,100
POOR RELIEF PERSONNEL			
Suprs. of Investigators	1	8,269	8,269
Investigators	1	4,134	4,134
OTHER EMPLOYEES			
Custodian of Twp. Office & Caretaker of Cemeteries	1	3,600	3,600
TOTAL	37		379,599

SECTION 7. Pike Township. The maximum salaries of the elected and appointed officers and employees of Pike Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	4,200	4,200
Township Clerk	1	6,615	6,615
Advisory Board Members	3	300	900
Clerks for Small Claims Court			
Clerk I	1	8,270	8,270
Clerk II	1	8,270	8,270
Clerk III	1	8,270	8,270
Clerk IV	1	8,270	8,270
POOR RELIEF PERSONNEL			
Investigators	1	6,000	6,000
OTHER EMPLOYEES			
Small Claims Judge	1	12,000	12,000
TOTAL	11		62,795

SECTION 8. Warren Township. The maximum salaries of the elected and appointed officers and employees of Warren Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	7,000	7,000
Township Clerk-Sec., Bkpr., Invstr.	1	7,003.50	7,003.50
Advisory Board Members	3	425	1,275
Clerk for Small Claims Court	1	6,667.50	6,667.50
Clerk for Small Claims Court	1	6,142.50	6,142.50
Judge for Small Claims Court	1	12,000	12,000
FIRE DEPARTMENT PERSONNEL			
First Class Firemen	22	12,017.25	264,379.50
Dispatchers	3	11,416.65	34,249.95
Clerk for Warren Township, Fire Prev. Office, Sten., Bkpr.	1	7,003.50	7,003.50
POOR RELIEF PERSONNEL			
Investigator, Bkpr., Typist	1	6,667.50	6,667.50
One additional investigator	1	5,850	5,850
TOTAL	36		358,238.95

SECTION 9. Washington Township. The maximum salaries of the elected and appointed officers and employees of Washington Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	8,400	8,400
Township Clerk	1	7,529	7,529
Advisory Board Members	3	600	1,800

Clerk for Small Claims Court	3	6,836	20,508
Part-time Clerk-Typist for Small Claims Court	1	3,308	3,308
Judge of Small Claims Court	1	12,000	12,000
FIRE DEPARTMENT PERSONNEL			
Fire Chief	1	15,624	15,624
Asst. Chief	4	13,818	55,272
Captain	5	12,978	64,890
Lieutenant	10	12,495	124,950
Chauffeurs	27	11,970	323,190
Privates	4	10,143	40,572
Probationary	5	9,319	46,595
Mechanic	1	12,600	12,600
Secretary	1	5,250	5,250
Extra Compensation for Para Medics		2,500	2,500
Total Year Longevity		24,900	24,900
POOR RELIEF PERSONNEL			
Suprs. of Investigators	1	7,178	7,178
Investigators-Full Time	2	6,064	12,128
Investigator-Part Time	1	3,308	3,308
TOTAL	72		792,502

SECTION 10. Wayne Township. The maximum salaries of the elected and appointed officers and employees of Wayne Township, Marion County, Indiana, for the calendar and fiscal year beginning January 1, 1978, and ending December 31, 1978, are fixed as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPEN
Township Trustee	1	9,200	9,200
Township Clerk	1	8,600	8,600
Advisory Board Members	3	600	1,800
Clerk for Small Claims Court	1	7,161	7,161
Clerk for Small Claims Court	1	6,836	6,836
Judge for Small Claims Court	1	12,000	12,000
Clerk for Small Claims Court (part time)	1	3,000	3,000
POOR RELIEF PERSONNEL			
Suprs. of Investigators	1	8,678	8,678
Investigators	3	6,641	19,923
TOTAL	13		77,199

SECTION 11. The Clerk of the Council is directed to certify a copy of the salaries fixed by this ordinance to the trustees of the respective townships within three (3) days after adoption of this ordinance.

PROPOSAL NO. 169, 1977. Councilman Tinder presented the Rules & Policy Committee report and moved for the adoption of the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to strike Proposal No. 169, 1977, as introduced and substitute therefor, the draft entitled:
Proposal No. 169, 1977, Committee Recommendations.

s/John G. Tinder

The motion carried by unanimous voice vote. Mr. Tinder stated that approximately one percent of the city employees were non-residents. General Counsel, Robert Elrod, stated that grandfather rights would be granted to current employees and the police and fire force were not effected by this ordinance, but state law. Following discussion, Mr. Clark moved the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 169, 1977, as follows:
In line 15 delete all of the words after "and" and delete line "16" inserting in lieu thereof, "the appropriate elected official or his designee approves."

s/Richard Clark

The motion carried on the following roll call vote; viz:

15 AYES: Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. Vollmer and Mr. Walters.
11 NOES: Mrs. Brinkman, Mr. Cantwell, Mrs. Chambers, Mr. Gilmer, Mr. Kimbell, Mr. McPherson, Mr. Patterson, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.
3 NOT VOTING: Mr. Anderson, Mr. Bayt, and Mr. Howard.

Following further discussion, the motion was duly made and seconded to adopt Proposal No. 169, 1977, As Amended. The motion carried on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Vollmer, Mr. Walters and Mr. West.
4 NOES: Mr. Gilmer, Mr. Miller, Mr. Rippel and Mr. Tintera.
2 NOT VOTING: Mr. Dowden and Mr. Schneider.

Proposal No. 169, 1977, As Amended, was retitled GENERAL ORDINANCE NO. 53, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 53, 1977

A GENERAL ORDINANCE amending Chapter 2 of the CODE OF INDIANAPOLIS AND MARION COUNTY, requiring local government employees to be residents of the employing jurisdiction.

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, be and is hereby amended by adding a new section 2-22 to read as follows:

Sec. 2-22. Employee residence requirement.

(a) After August 15, 1977, any person who accepts employment with the City of Indianapolis, or any special service or special taxing district thereof, or Marion County, must have his principal place of residence within the limits of Marion County or become a resident of the county within six (6) months of the date when he accepts such employment; and his position as an employee of such unit of government shall terminate six (6) months from the date that he moves his principal place of residence from the county.

(b) This section shall not apply to persons who have specialized skills or training if there is no suitable applicant for the position residing within the limits of Marion County, and the appropriate elected official or his designee approves.

(c) This section shall not apply to members of the police and fire forces of the city, who are governed by the provisions of IC 19-1-2-1.

(d) This section shall not apply to those persons who were non-resident employees of the county, the city, or any special service or special taxing district thereof, prior to the effective date of this ordinance.

SECTION 2. This ordinance shall be in full force and effect from and after August 15, 1977.

PROPOSAL NO. 275, 1977. Councilman Miller presented the committee report and moved for the adoption of this proposal. Following discussion, the proposal was adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Chambers, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.

NO NOES.

7 NOT VOTING: Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Miller, Mr. Rippel, Mr. Schneider and Mr. West.

Proposal No. 275, 1977, was retitled GENERAL ORDINANCE NO. 62, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 62, 1977

A GENERAL ORDINANCE amending Chapter 23, ~~ARTICLE 11A~~, Sec. 23-27, of the "Code of Indianapolis and Marion County, Indiana".

29 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, 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.
NO NOES.

Proposals Nos. 279 - 283, 1977, were retitled SPECIAL RESOLUTIONS NOS 16 - 20, 1977, and read as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 16, 1977

A SPECIAL RESOLUTION approving and authorizing certain action and proceedings with respect to certain proposed air pollution control bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by Indiana Code, 18-6-4.5, as amended, (the "Act") to issue and sell revenue bonds for the financing of pollution control facilities and to lease the facilities or to loan the proceeds of such bonds; and

WHEREAS, National Starch and Chemical Corporation (the "Company"), by Exhibit A, a copy of which is attached hereto and hereby made a part hereof, has advised the City that it has under consideration a program for the acquisition and construction at its Indianapolis manufacturing facility located in the City of certain pollution control facilities (the "facilities") described in Exhibit A; and

WHEREAS, the Company has further advised the City in such Exhibit A that a determination by the City to issue its revenue bonds under the Act to finance the acquisition and construction of the facilities under certain contractual arrangements, whereby the City would either lease the facilities to the Company or make a loan to the Company of the net proceeds derived from the issuance and sale of such bonds for the financing of the facilities and the Company has agreed to pay or reimburse costs of the City whether or not such bonds are issued; and

WHEREAS, the reduction of pollution to be achieved by the acquisition and construction of the facilities will be of public benefit to the health, safety and general welfare of the City and its inhabitants; and

WHEREAS, subject to all required approvals under the Act and the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the facilities would be of public benefit to the health, safety and general welfare of the City; now, 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 finds and determines that the control of pollution at the Indianapolis manufacturing plant of the Company is desirable to preserve the health, safety and general welfare of the inhabitants of the City, and that it is in the public interest that the City take such action as it lawfully may to encourage control of pollution at the Indianapolis manufacturing plant of the Company.

SECTION 2. The City-County Council further finds and determines that the issuance and sale of revenue bonds of the City under the Act and the loaning of the net proceeds derived therefrom to the Company to finance the acquisition and construction of the facilities or the leasing of the facilities to the Company will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition and construction of the facilities, the Common Council hereby determines (i) that it will authorize, issue and sell one or more series of revenue bonds of the City pursuant to the Act in a principal amount sufficient to pay the cost of acquisition and construction of the facilities, including reimbursement or repayment to the Company of any moneys expended by the Company for planning and engineering, interest to be paid during construction, underwriting expenses, attorney and bond counsel fees, and other costs incident to the authorization, issuance and sale of such bonds, the aggregate qualifying cost thereof being presently estimated not to exceed \$1,000,000, and will enter into contractual arrangements to either lease the facilities to the Company or to make a loan to the Company of the net proceeds derived from the issuance and sale of such bonds for the financing of the acquisition and construction of the facilities whereby the payments to be paid by the Company shall be sufficient to pay the bonds and the interest thereon, as and when the same shall become due and payable; that (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such actions as may be necessary or advisable for the authorization, issuance and sale of the bonds; and that (iii) it will take or cause to be taken such other actions as may be required to implement the aforesaid, or as it may deem appropriate in pursuance thereof; provided, that all of the foregoing shall be as authorized by law and as mutually acceptable to the City and Company.

SECTION 4. It is hereby recognized that the issuance and sale of revenue bonds by the City under the Act for the purposes set forth herein shall be subject to the City's obtaining all approvals as may be required under the Act, including the advice of the Indianapolis Economic Development Commission.

SECTION 5. To the extent permitted by the Act, the Company may make such changes in the facilities as it may deem necessary or desirable in the light of the then existing regulations and/or technology, provided, that the changed facilities will constitute air or water pollution control or solid waste disposal facilities within the meaning of Section 103 of the Internal Revenue Code of 1954, as amended, and the regulations issued thereunder..

SECTION 6. The City-County Council recognizes that the aggregate principal amount of revenue bonds herein authorized may not be sufficient to complete the facilities and agrees that the documents relating to the bond issue may permit the issuance of additional bonds from time to time to complete the facilities.

SECTION 7. The City-County Council further recognizes that the Company may request a ruling from the Internal Revenue Service in respect of the proposed facilities concerning whether certain portions thereof are properly allocable to pollution control. Accordingly, if such a request is made, the City-County Council determines that the authorization hereunder to issue revenue bonds for the proposed facilities will extend to only such principal amount of bonds as will be necessary to pay the allowable costs thereof allocable to pollution control.

SECTION 8. This resolution is hereby declared to constitute "some other similar official action" of the City within the meaning of Section 1.103-8(a)(5) of the Income Tax Regulations issued by the United States Treasury Department.

EXHIBIT A

The Company, National Starch and Chemical Corporation, hereby proposes to acquire, install and/or construct the following pollution control facilities at its Indianapolis Manufacturing facility at 1515 Drover Street, to-wit:

1. Four Merco Centrifugal Separators to separate solids from liquids before discharge to city sewer.
2. One Water Scrubber (for installation on a Flash Dryer) to remove airborne starch particulates from air before discharge to the atmosphere.
3. Four or Five Stacking Dust Collectors also to remove air borne starch particulates from air before discharge to the atmosphere.
4. On Stack Gas Heat Recovery System to utilize boiler stack gases laden with particulates to dry fibers rather than discharging such laden stack gases to the atmosphere.

CITY—COUNTY SPECIAL RESOLUTION NO. 17, 1977

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be loaned to companies for the acquisition, construction and equipping of said facilities; and

WHEREAS, National Starch and Chemical Corporation (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City loan the proceeds of such a financing to the Company for such purposes, said economic development facility to be a 96,000 square foot manufacturing warehouse facility for the manufacture of specialty starches for the paper, food and textile industries, including the machinery and equipment to be installed therein, to be located south of the present plant of the Company and north of Raymond Street in Indianapolis, Indiana, on an approximate 14 acre tract of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, subject to all required approvals under the Act and having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, 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 finds, determines and confirms that the diversification of industry and promotion of job opportunities in and near Indianapolis, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines and confirms that the issuance and sale of revenue bonds of the City under the Act in an amount not to exceed \$1,000,000 for the loaning of the proceeds of such a financing to the Company for the acquisition, construction and equipping of the Project will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to confirm and ratify the inducement to the Company to proceed with the acquisition, construction and equipping of the Project, the City-County Council hereby finds, determines and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be as authorized by law and is mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, subject to the City obtaining all approvals as may be required under the Act, including the advice of the Indianapolis Economic Development Commission and the approval of the Metropolitan Development Commission of Marion County.

SECTION 4. All costs of the Project incurred after the Inducement Resolution passed by the Indianapolis Economic Development Commission, including reimbursement or

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repayment to the Company of moneys expended by the Company for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter either lease the same to the Company or loan the proceeds of such financing to the Company for the same purposes.

CITY—COUNTY SPECIAL RESOLUTION NO. 18, 1977

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development leasehold facilities, the funds from said financing to be loaned to Combs-Gates Indianapolis, Inc. (the "Company") for the acquisition, construction and equipping of said facilities; and

WHEREAS, the Company has advised the Indianapolis Economic Development Commission and the City that it proposed that the City issue economic development revenue bonds and loan the proceeds thereof to the Company for the acquisition, construction and equipping of said leasehold facilities, said leasehold economic development facility to be an aviation fuel storage and dispensing facility to be located on the premises leased to the Company by the Indianapolis Airport Authority at the Indianapolis International Airport in Indianapolis, Indiana (the "Project"); and

WHEREAS, Combs-Gates Denver, a corporation which wholly owns the stock of the Company will guarantee all bond payments, if required by the investors; and

WHEREAS, the diversification of commerce and economic development and increase in job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, subject to all required approvals under the Act and having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the construction of the Project will not have an adverse competitive effect on any similar facility already operating or under construction in or about Indianapolis, Indiana; now, 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 finds, determines and confirms that the diversification of commerce, economic development and promotion of job opportunities in and near Indianapolis, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of commerce and economic development and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines and confirms that the issuance and sale of revenue bonds of the City under the Act in an amount not to exceed \$1,000,000 for the financing of the acquisition, construction and equipping of the leasehold Project through the loan of the proceeds of such a financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction and equipping of the leasehold Project, the City-County Council hereby finds, determines and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be as authorized by law and is mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, subject to the City obtaining all approvals as may be required under the Act, including the advice of the Indianapolis Economic Development Commission and the approval of the Metropolitan Development Commission of Marion County.

SECTION 4. All costs of the leasehold Project incurred after the Inducement Resolution passed by the Indianapolis Economic Development Commission, including reimbursement or repayment to the Company of moneys expended by the Company for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the leasehold Project will be permitted to be included as part of the bond issue to finance said leasehold Project, and the City will thereafter loan the proceeds of such financing to the Company for the same purposes.

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 1977

A SPECIAL RESOLUTION approving and authorizing certain actions and proceeding with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either owned by or leased to a company; and

WHEREAS, Great Dane Trailers, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposed that the City acquire, construct and equip an economic development facility and lease the same to the Company or that the City loan the proceeds of such a financing to the Company for such purposes said economic development facility to be a 21,000 square foot facility for the repair, servicing and sale of new and used truck trailers including the real estate on which it is located and the machinery and equipment to be installed therein, to be located just off of the Raymond Street Expressway in Indianapolis, Indiana, on a approximate 6.5 acre tract of land (the "Project"); and

WHEREAS, Transway International Corporation, a corporation which wholly owns the stock of the Company will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of industry and increase in job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, subject to all required approvals under the Act and having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, 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 finds, determines and confirms that the promotion of diversification of industry and job opportunities in and near Indianapolis, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines and confirms that the issuance and sale of revenue bonds of the City under the Act in an amount not to exceed \$850,000 for the acquisition, construction and equipping of the Project and the leasing of the Project to the Company or the loaning of the proceeds of such a financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction and equipping of the Project, the City-County Council hereby finds, determines and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be as authorized by law and is mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds, subject to the City obtaining all approvals as may be required under the Act, including the advice of the Indianapolis Economic Development Commission of Marion County.

SECTION 4. All costs of the Project incurred after the Inducement Resolution passed by the Indianapolis Economic Development Commission, including reimbursement or repayment to the Company of moneys expended by the Company for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter either lease the same to the Company or loan the proceeds of such financing to the Company for the same purposes.

CITY-COUNTY COUNCIL SPECIAL RESOLUTION NO. 20, 1977

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be loaned to companies for the acquisition, construction and equipping of said facilities; and

WHEREAS, Boehringer Mannheim Corporation (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposed that the City loan the proceeds of such a financing to the Company for such purposes, said economic development facility to be a 50,000 square foot manufacturing facility for the manufacture of diagnostic blood testing kits, including the machinery and equipment to be installed therein, to be located at 9109 Hauge Road, Indianapolis, Indiana, 46250, the present plant location of the Company in Indianapolis, Indiana, on an approximate 3.25 acre tract of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, subject to all required approvals under the Act and having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, 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 finds, determines and confirms that the diversification of industry and promotion of job opportunities in and near Indianapolis, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis; and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines and confirms that the issuance and sale of revenue bonds of the City under the Act in an amount not to exceed \$1,000,000 for the loaning of the proceeds of such a financing to the Company for the acquisition, construction and equipping of the Project will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to confirm and ratify the inducement to the Company to proceed with the acquisition, construction and equipping of the Project, the City-County Council hereby finds, determines and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be as authorized by law and is mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds subject to the City obtaining all approvals as may be required under the Act, including the advice of the Indianapolis Economic Development Commission and the approval of the Metropolitan Development Commission of Marion County.

SECTION 4. All costs of the Project incurred after the Inducement Resolution passed by the Indianapolis Economic Development Commission, including reimbursement or repayment to the Company of moneys expended by the Company for planning engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will loan the proceeds of such financing to the Company for the same purposes.

UNFINISHED BUSINESS

PROPOSAL NO. 285, 1977. Councilman McPherson presented the Public Works committee report and moved, seconded by Mr. West, the following amendments:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to strike Proposal No. 285, 1977, as introduced and substitute therefor, the draft entitled:
Proposal No. 285, 1977, Committee Recommendations.

/s/Donald R. McPherson

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 285, 1977, Committee Recommendations, as follows:

On page 1, within the definition of "Industrial User", insert the letter "I" after the letters "A, B, D, and E".

On page 3, under the paragraph entitled, "Application of Rates", delete "Ic = \$0.03 per 1,000 gallons" and insert in lieu thereof, "Ic = \$0.015 per 1,000 gallons."

On page 4, in Sec. 27-104. Billing Estimates and Reports, insert a new paragraph (e) to read as follows:

"(e) The cost of all tests, measurements and analyses taken by the Director pursuant to the Department of Public Works' responsibility to perform "Industrial Monitoring Programs" defined and directed by local, state and Federal agencies shall be charged to the Industrial User tested in an amount equal to the actual average cost of said test, measurement or analyses as determined at the close of each calendar year. These costs shall be due and payable as provided in this Division."

On page 5, in paragraph 27-110.2, at the end of line 2, insert, Department of Public Works, Resolution Number "2243", adopted "August 1, 1977."

s/Donald R. McPherson

The motions carried by unanimous voice vote. Following discussion, during which Mr. Kimbell stated that due to the base rate, the tax was inequitable to small families, Mr. Miller moved, seconded by Mr. Cantwell, to postpone Proposal No. 285, 1977, As Amended, until the meeting of August 22, 1977. The motion failed on the following roll call vote; viz:

AYES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mr. Gilmer, Mr. Hawkins, Mr. Miller, Mr. Rippel and Mr. Schneider.

NOES: Mr. Anderson, Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters and Mr. West.

More discussion followed during which Mr. Clark requested the Rules & Policy Committee to set guidelines for the introduction of proposal which are heard in Committee the day of a Council meeting. Mr. David Hoppock, Director of Public Works, also spoke and Mr. Harvey Green explained the calculations concerning the rates to be charged. The Chair called for the vote on Proposal No. 285, 1977, As Amended and it was adopted on the following roll call vote; viz:

AYES: Mr. Anderson, Mrs. Brinkman, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mr. Tinder, Mr. Tintera and Mr. West.

NOES: Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Dowden, Mr. Miller, Mr. Rippel, Mr. Schneider, Mr. Vollmer and Mr. Walters.

NOT VOTING: Mrs. Journey.

Proposal No. 285, 1977, As Amended was retitled GENERAL ORDINANCE NO. 63, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 63, 1977

A GENERAL ORDINANCE providing for the establishment of rates and charges for the use of the sewerage system; the methods of ascertaining such charges and defining the powers and duties of the Department of Public Works.

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

SECTION 1. Chapter 27 of the Code of Indianapolis and Marion County, specifically Section 27-1, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

Sec. 27-1. Definitions. As used in this chapter, the following terms shall have the meanings ascribed to them in this section unless the context specifically indicates otherwise:

"ASTM" shall mean the American Society for Testing and Materials.

"Board" shall mean the board of public works.

"BOD" (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade, expressed in milligrams per liter.

"Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

"Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

"Combined sewer" shall mean a sewer receiving both surface runoff and sewage.

"Director" shall mean the director of the department of public works, or his authorized deputy, agent or representative.

"Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

"Industrial User" shall mean any user of the waste water works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under division A, B, D, E, I and except a user under Division I who discharges primarily segregated domestic waste or waste from sanitary conveniences.

"Industrial waste" shall mean the liquid waste from industrial manufacturing processes, trade or business, as distinct from domestic sewage.

"Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

"Non-industrial user" shall mean all users of the waste water works not included in the definition of "industrial user".

and appropriating an additional fifty-nine thousand five hundred forty-four dollars (\$59,544.00) in the City General Fund for purposes of the Department of Administration and reducing the unappropriated and unencumbered balance in the City General Fund;" and the President referred it to the Administration Committee.

PROPOSAL NO. 292, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Chapter 17, Article XIV of the Code of Indianapolis and Marion County to provide classifications of second-hand dealers' licenses, to provide a new record-keeping system for such dealers, and to add a new section concerning garage sales;" and the President referred it to the Administration Committee.

PROPOSAL NO. 293, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the City-County General Ordinance No. 97, 1976, and approving changes in the established personnel and salaries for Center Township, Marion County, Indiana;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 294, 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 one hundred twenty-nine thousand five hundred seventy-four dollars eighty-five cents (\$129,574.85) in the County General Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 295, 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 seven thousand seven hundred fifty-six dollars (\$7,756) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 296, 1977. Introduced by Councilman Rippel. 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 seventy-seven thousand three hundred sixty-five dollars (\$77,365) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund;" and the President referred it to the Transportation Committee.

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 290, 1977. Mrs. Brinkman presented the committee report since the chairman, Mr. Miller, had voted against its passage during committee. Mr. Brinkman stated that the Administration Committee had prepared a revised edition of Proposal No. 290 during the last meeting and she then moved for the adoption of Committee Recommendations. The motion carried by voice vote. Mr. Miller moved for the deletion of United Northwest Area and the Near Southside Community Center from Proposal No. 290, 1977, Committee Recommendation. In response to Mr. Tintera's request, the chair divided Mr. Miller's motion into two motions – one deleting UNWA and the other deleting the Near Southside Community Center. Mr. Schneider moved, seconded by Mr. Patterson, to set Proposal No. 290, 1977, Committee Recommendations, back to committee. Motion out of order. The Chair called for the vote on Mr. Miller's motion to amend Proposal No. 290, 1977, by the deletion of United Northwest Area. The motion carried by voice vote. The Chair then called for the vote on the motion to amend Proposal No. 290, 1977, by deleting the Near Southside Community Center. The motion carried on the following roll call vote; viz:

15 AYES: *Mr. Anderson, Mrs. Chambers, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, and Mr. West.*

12 NOES: *Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Hawkins, Mr. Journey, Mr. Kimbell, Mr. Pearce, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.*

2 NOT VOTING: *Mrs. Brinkman and Mr. Howard.*

Mr. Clark then moved, seconded by Mr. Cantwell, to recall the vote on the preceding amendment because two councilmen believed they had voted in error. The motion failed on the following roll call vote; viz:

8 AYES: *Mrs. Chambers, Mr. Clark, Mr. Gilmer, Mr. Kimbell, Mr. Tinder, Mr. Tintera, Mr. Vollmer and Mr. Walters.*

19 NOES: *Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mr. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas and Mr. West.*

2 NOT VOTING: *Mrs. Brinkman and Mr. Hawkins.*

The Chair called for the vote on Proposal No. 290, 1977, Committee Recommendations, and the proposal was adopted on the following roll call vote; viz:

CITY—COUNTY COUNCIL RESOLUTION NO. 17, 1977

A COUNCIL RESOLUTION approving the appointment of a person by the Mayor to fulfill the office of Deputy Mayor for the period from August 1, 1977, through December 31, 1977.

WHEREAS, pursuant to IC 18-4-3-4 and the Code of Indianapolis and Marion County, Section 2-143, the appointment by the Mayor of a Deputy Mayor is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of his appointee for such a position, to serve in office at the Mayor's pleasure; now, therefore:

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

SECTION 1. David R. Frick is approved and confirmed by the City-County Council for the office of Deputy Mayor of the City of Indianapolis for the term beginning August 1, 1977, and ending December 31, 1977, to serve at the pleasure of the Mayor.

PROPOSAL NO. 299, 1977. Councilman Howard introduced and read this proposal for a Special Resolution memorializing the Government of the United States to maintain its philosophy regarding Human Rights as well as its foreign policy which advocates majority rule in Southern Africa. Mrs. Brinkman moved, seconded by Mr. Schneider, to send this proposal to committee. The Chair assigned it to the Rules and Policy Committee. After discussion about the Council's role concerning national issues, Mr. Bayt called, seconded by Mr. Cantwell, for the vote on Mrs. Brinkman's motion to send the proposal to committee. The motion carried by voice vote.

PROPOSAL NO. 298, 1977. Mr. Tintera introduced and read the proposal commending Dr. Hanus J. Grosz. After introduction, Mr. Tintera moved, seconded by Mr. Cantwell, for the adoption of this proposal. The motion carried by unanimous voice vote. Proposal No. 298, 1977, was retitled SPECIAL RESOLUTION NO. 15, 1977, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 15, 1977

A SPECIAL RESOLUTION commending Dr. Hanus J. Grosz.

WHEREAS, Dr. Hanus J. Grosz has been a fine credit to the medical profession and the specialization of psychiatry in particular, and;

WHEREAS, Dr. Hanus J. Grosz has shown a deep concern for people whether it be at his profession or through his civic accomplishments, and;

WHEREAS, Dr. Hanus J. Grosz has exhibited an innovative, result-oriented and sometimes controversial style in solving pressing social problems and needs, and;

WHEREAS, Dr. Hanus J. Grosz, after eight years of service to the city is stepping down from the Board of Directors of C.A.S.A. (Community Addiction Services Agency); now, 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 Indianapolis and Marion County does hereby commend Dr. Hanus J. Grosz for his service to his city and county.

SECTION 2. The Mayor of the City of Indianapolis is invited to join in the expression of this resolution by affixing his signature hereto.

SECTION 3. The Clerk of the Council is hereby instructed to suitably inscribe a copy of this Resolution for delivery to Dr. Hanus J. Grosz.

Mr. Tinder presented the following Rules and Policy Special Resolution:

A PROPOSAL FOR A SPECIAL RESOLUTION

WHEREAS, the Rules and Policy Committee of the City-County Council is considering certain amendments to the Code of the City of Indianapolis and Marion County concerning insurance benefits for City and County employees; and

WHEREAS, the Committee needs certain additional data in order to formulate its position on these amendments; now, therefore: **BE IT RESOLVED** that all City and County agencies (including the Data Processing Agency) are hereby directed to provide all necessary information in order to prepare specifications for the solicitation of bids for group health and life insurance plans for all City and County employees and to provide the current group health and life insurance contracts and experience data under which these agencies operate.

INTRODUCTION OF GUESTS

Councilman Vollmer introduced his wife Jane and his son Jeff. Mrs. Jour introduced her three daughters, Linda, Marilyn and Blondina and stated that Marilyn and Blondina were two of Indianapolis' representatives to the Scarborough Peace Games. Mr. Pearce announced the birth of his grandson, Christopher Mich Blue. Councilman Howard introduced Kwame Mumina, an authority on African Affairs.

INTRODUCTION OF PROPOSALS

The Chair called for the reading of the new proposals.

PROPOSAL NO. 290, 1977. Introduced by Councilwoman Brinkman. The Clerk read the proposal entitled: "A Proposal for a Council Resolution authorizing allocation of public service employment expenditures from federal grants pursuant to the Comprehensive Employment and Training Act of 1973, as amended." Councilwoman Brinkman requested the advancement of this proposal to Special Orders—Public Hearing. Consent was given.

PROPOSAL NO. 291, 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, 1977).

Sec. 27-107. Applicable to Sewer Service Agreements. All sewer service agreements to which the department of public works is a party shall be amended to reflect the rates and charges as provided for in this Ordinance.

Sec. 27-108. Rules and Regulations Authorized. After the passage of this Ordinance, and from time to time thereafter as may be needed, the board may by resolution, promulgate rules and regulations necessary to implement and carry out the provisions of this Ordinance and not inconsistent therewith.

Sec. 27-109. Appeals to the Board.

(a) Any person subject to this division may appeal the charges assessed against him to the board and shall have a hearing upon the following conditions:

- (1) That the person submits billing estimates or authorizes the director to make such estimates;
- (2) That the person has good cause to believe that the charges assessed are in error;
- (3) That notice in writing has been given to the board within sixty (60) days of receipt of the charges in question.

(b) The board is directed to notify the person making appeal of the time and place when his appeal will be heard. Upon evidence sufficient to the board submitted at the hearing that the charges are in error, the board shall make adjustments in the charges. Adjustments may be in the form of a refund or a credit against subsequent assessments of the charges provided for in this division.

Sec. 27-110. Exceptions.

(a) In the case of one, two, or multi-family residences the billing for sewage service for the months of June, July and August shall be based upon the water used or delivered for the previous months of March and April. In the event the water used for said previous months of March and April is greater than the water used for said months of June, July and August, then the billing for sewage service shall be computed on the actual water used in the month for which the sewage service bill is being rendered.

(b) Where a metered water supply is used for fire protection as well as for other uses, the director may, at his discretion, make adjustments in the sewer user charge as may be equitable. In such cases the burden of proof as to the type of water usage shall be upon the user.

(c) Where a metered water supply is used for fire protection only, the sewer user charge shall not apply.

Sec. 27-110.1. Rate Review. Each year at a time deemed appropriate by the director, the director shall cause a financial study to be conducted to determine the various cost identified in the foregoing, and report to the City-County Council the need for any necessary adjustments in the rates and charges.

Sec. 27-110.2. Charges not Duplicated and Repeal of Divisions 1 and 2.

(a) Division 3 is intended to confirm and effectuate the sewer user and industrial cost recovery charges provided for in the Confirming Rate Resolution of the Department of Public Works, Resolution Number 2243, adopted August 1, 1977, and does not impose any charges duplicating or in addition to the identical charges provided for in that resolution. Such charges shall be payable under that resolution if it is legally effective to impose the charges and not under this division. If said resolution is not legally effective to impose the charges, then the charges shall be imposed by this division.

(b) Division 3 of Article IV of Chapter 27, Code of Indianapolis and Marion County, as set forth in this ordinance, is intended to confirm and effectuate the sewer user charge and industrial cost recovery system of funding mandated by regulation of the U.S. Environmental Protection Agency and are designed to replace charges established by Division 1 and 2 of Article IV of Chapter 27, Code of Indianapolis and Marion County and such charges established by Division 1 and 2 of Article IV are hereby expressly repealed when the charges set forth in Division 3 become legally effective. If this ordinance for any reason does not become legally effective to impose said charges then the charges of Divisions 1 and 2 of Article IV of Chapter 27, Code of Indianapolis and Marion County, shall be preserved and remain in full force and effect.

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas introduced the new Deputy Mayor, Mr. David Frick, who made few comments.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 10:45 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 1st day of August, 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)