

CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, September 26, 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, September 26, 1977, President SerVaas in the chair. Councilman Stephen West opened the meeting with a prayer followed by the Pledge of Allegiance.

ROLL CALL

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

PRESENT: Mr. 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. Vollmer, Mr. Walters and Mr. West.

ABSENT: Mr. Tinder and Mr. Tintera.

The Chair excused Mr. Tinder and Mr. Tintera.

CORRECTION OF JOURNAL

The Chair announced that due to the length of the meeting of September 12, 1977, the journal was incomplete and had not been distributed.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

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, September 26, 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

September 13, 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. Rippy, the following Ordinances:

FISCAL ORDINANCE NO. 70, 1977 adopting the City-County Annual Budget for 1977 appropriating all amounts necessary to defray expenses for the operation of every fact of consolidated government of the City of Indianapolis and Marion County, for the calendar and fiscal year beginning January 1, 1978 and ending December 31, 1977, allocating receipts and establishing the method of financing such expenses, an establishing salaries, wages, and compensation rates and limitation with respect to certain employees of the City and County.

FISCAL ORDINANCE NO. 71, 1977 levying taxes and fixing the Rate of Taxation for the purpose of raising revenue to meet the necessary expenses of Indianapolis and Marion County government and its institutions for the calendar year 1978.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

September 16, 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. Rippy, the following Ordinances:

GENERAL ORDINANCE NO. 89, 1977 amending City-County General Ordinance No. 97, 1976, and approving changes in the established personnel and salaries Lawrence Township, Marion County, Indiana.

FISCAL ORDINANCE NO. 72, 1977 amending the City-County Annual Budget 1977 transferring and appropriating \$2,000 in the County General Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 73, 1977 amending the City-County Annual Budget 1977 transferring and appropriating one hundred seventy-five dollars (\$175.00) in County General Fund for purposes of the County Recorder and reducing certain other appropriations for that office.

GENERAL ORDINANCE NO. 87, 1977 for the purpose of establishing, through cost/benefit analysis, a more efficient and effective use of limited resources by utilizing zero-base budgeting technique.

Respectfully submitted,

William H. Hudnut, III
Mayor

PRESENTATION OF PETITIONS, MEMORIALS,
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 425, 1977. Councilman Miller explained that this proposal was authorizing the allocation of expenditures for the Family Service Association. He then gave the floor to Councilman McGrath to give the majority report for the Administration Committee. Following discussion during which Mrs. Brinkman stated that the Family Service Association applied for both C.E.T.A. and Title XX monies and that this service was able to place a high percentage of its people in the private sector, the Chair called for the vote on this proposal. Proposal No. 425, 1977, was adopted on the following roll call vote; viz:

8 AYES: *Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Patterson, Mr. Pearce, Mr. Vollmer, Mr. Walters and Mr. West.*

NOES: *Mr. Anderson, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. McPherson, Mr. Miller, Mr. Rippel, Mr. Schneider and Mr. SerVaas.*

Proposal No. 425, 1977, was retitled COUNCIL RESOLUTION NO. 25, 1977, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 25, 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**

DEPARTMENT/AGENCY PROJECT PROGRAM PURPOSE	POSITION TITLE	NO. POS.	NO. MOS.	PROPOSED MAX. TOTAL BUDGET
Family Service Assoc. Provide homemaker service to aged and/or needy individuals and families. Includes in-home child care housekeeping and meal preparation.	Homemakers (p.t.)	10	12	67,884
	Social Workers	2	12	
	Clerical Worker	1	12	
		13		

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. 424, 1977. Councilman Vollmer read the proposal introduced by him and Mr. SerVaas commending Ed Flanagan for his work with city government. Following discussion, the proposal was adopted by unanimous voice vote. Proposal No. 424, 1977, was retitled SPECIAL RESOLUTION NO. 23, 1977 and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 23, 1977

A SPECIAL RESOLUTION commending James Edward Flanagan.

WHEREAS, James Edward "Ed" Flanagan has worked with numerous local officials during the last five years while serving as Executive Assistant at Indiana Bell, and;

WHEREAS, during that time Ed Flanagan has successfully cultivated a cooperative and lasting relationship between his employer and local government for the betterment of the community, and;

WHEREAS, Ed Flanagan has always shown a sincere interest in the people and problems of Indianapolis, even before his term as Mayor of Anderson began in 1968; 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 Ed Flanagan for his service to Indianapolis and Marion County and does wish him the very best in the ensuing years.

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 Ed Flanagan.

INTRODUCTION OF GUESTS

Councilman McPherson introduced Mrs. Ruth Short and concerned citizens from his district supporting a traffic signal at Post Road and 25th Street. Mr. McPherson stated he will be introducing a proposal designed to help alleviate the traffic congestion at that intersection.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 336, 1977. Introduced by Mr. Bayt. The Clerk read the proposal entitled: "A Proposal for a General Ordinance providing parking restrictions at parking meter locations on Prospect Street, Shelby Street and Virginia Avenue the Fountain Square Area [Amends Code Section 29-272 and 29-283];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 337, 1977. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 338, 1977. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at a certain intersection [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 339, 1977. Introduced by Mr. Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at certain intersections [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 340, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 341, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 342, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing an intersection control at a certain intersection [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 343, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing an intersection control at a certain intersection [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 344, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at a certain intersection [Amends Code Section 29-92];" and the President referred it to the Transportation Committee.

PROPOSAL NO. 345, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 346, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 347, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 348, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing a intersection control at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 349, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 350, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 351, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 352, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing intersection controls at certain intersections [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 353, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance altering prima facie speed limits on certain sections of Lafayette Road [Amends Code Section 29-136] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 354, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at certain intersections [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 355, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at certain intersections [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 356, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting parking on a portion of West 10th Street [Amends Code Section 29-267] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 357, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting parking during specified hours on certain streets [Amends Code Section 29-270] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 358, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing weight limits on certain streets [Amends Code Section 29-224] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 387, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing the prohibition of standing, stopping, or parking on a certain portion of Leonard Street [Amends Code Section 29-268] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 388, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing an intersection control at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 389, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance prohibiting parking on a portion of 21st Street [Amends Code Section 29-270] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 390, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance establishing weight limits on certain streets [Amends Code Section 29-224] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 391, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at certain intersections, prohibiting parking on a portion of Meridian School Road, and establishing a speed limit of 40 miles per hour on a certain portion of Meridian School Road [Amends Code Section 29-92, 29-267 and 29-136] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 392, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 393, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 394, 1977. Introduced by Councilman Rippel. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing an intersection control at a certain intersection [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 395, 1977. Introduced by Councilman McGrath. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing intersection controls at a certain intersections [Amends Code Section 29-92] ;" and the President referred it to the Transportation Committee.

PROPOSAL NO. 396, 1977. Introduced by Councilman Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the licensing and operational requirements for amusement locations by amending Code Section 17-188 and 17-224;" and the President referred it to the Administration Committee.

PROPOSAL NO. 397, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating fifteen thousand dollars (\$15,000) in the County General Fund for purposes of the Marion County Home and reducing certain other appropriations for that agency;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 398, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving the schedule of charges for the care and maintenance of patients and residents of the Marion County Home and Julietta Convalescent Center as fixed by the County Home Board;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 399, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional five thousand nine hundred sixty-eight dollars (\$5,968) in the County General Fund for purposes of the County Recorder and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 400, 1977. Introduced by Councilman Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional ninety thousand seven hundred ten dollars (\$90,710) in the County General Fund for purposes of several county offices and reducing the unappropriated and unencumbered balance in the County General Fund;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 401, 1977. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving the action of the Board of Public Works with respect to the incorporation of certain additional territory into the Indianapolis Sanitary District;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 402, 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 three hundred eleven thousand six hundred ninety-eight dollars (\$311,698) 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. 403, 1977. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional twenty-five thousand six hundred forty-six dollars (\$25,646) in the County General Fund for purposes of several county offices 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. 404, 1977. Introduced by Councilman West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional twenty-five thousand dollars (\$25,000) 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 NOS. 405-417, 1977. Introduced by Councilman Durnil. The Clerk read the proposals entitled: "Proposals for rezoning ordinances certified from the Metropolitan Plan Commission on September 22, 1977;" and the President referred them to the Committee of the Whole to be heard under Special Orders—Final Adoption.

PROPOSAL NO. 418, 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 three hundred thousand dollars (\$300,000) in the County General Fund for purposes of the Juvenile Center 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. 419, 1977. Introduced by Councilman Durnil. 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-five thousand dollars (\$75,000) in the Historic Preservation Fund for purposes of Historic Preservation Division, Department of Metropolitan Development and reducing the unappropriated and unencumbered balance in the Historic Preservation Fund;" and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 420, 1977. Introduced by Councilman Gilmer. 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 two million one hundred sixty-five thousand dollars (\$2,165,000) in the Park General Fund for purposes of the Department of Parks and recreation and reducing the unappropriated and unencumbered balance in the Park General Fund;" and the President referred it to the Parks & Recreation Committee.

PROPOSAL NO. 421, 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 four million eight hundred twenty-six thousand dollars (\$4,826,000) 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.

PROPOSAL NO. 422, 1977. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional one million one hundred thirty-eight thousand dollars (\$1,138,000) in the Sanitation General Fund for purposes of the Sanitation Division, Department of Public Works and reducing the unappropriated and unencumbered balance in the Sanitation General Fund;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 423, 1977. Introduced by Councilman Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional three hundred twenty-five thousand dollars (\$325,000) in the County Welfare Fund for purposes of the Department of Public Welfare and reducing the unappropriated and unencumbered balance in the County Welfare Fund;" and the President referred it to the Community Affairs Committee.

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 167, 1977. Mr. Dowden moved, seconded by Mr. Durnil, to strike this proposal. Proposal No. 167, 1977, was stricken by unanimous voice vote.

PROPOSAL NO. 226, 1977. Councilman Schneider presented the County & Townships Committee report which supported the passage of this proposal. He then moved the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 226, 1977, as follows:

In Section 1, line 3, delete the words "August and September" and insert in lieu thereof, "through December".

s/William Dowden

The motion carried by unanimous voice vote. The Council recessed to a Committee of the Whole at 7:25 p.m. and reconvened at 7:26 p.m. Following public hearing and discussion, the vote was called on Proposal No. 226, 1977, As Amended. The Proposal was adopted on the following roll call vote; viz:

23 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Chambers, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mr. Vollmer, Mr. Walters and Mr. West.
NO NOES.

4 NOT VOTING: Mr. Cantwell, Mrs. Coughenour, Mr. McPherson and Mr. Rippel

Proposal No. 226, 1977, As Amended, was retitled FISCAL ORDINANCE NO. 74 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 74, 1977

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional six thousand six hundred seventy-one dollars (\$6,671.00) in the County General Fund for purposes of the Central Law Library and County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of additional personnel for July through December, 1977 financed by funds from C.E.T.A. grants.

SECTION 2. The sum of six thousand six hundred seventy-one dollars (\$6,671.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CENTRAL LAW LIBRARY	COUNTY GENERAL FUND
10. Personal Services	\$ 6,000.00
COUNTY AUDITOR	
24. Current Charges	320.00
25. Current Obligations	351.00
TOTAL INCREASES	\$ 6,671.00

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

COUNTY GENERAL FUND	
Unappropriated and Unencumbered	
County General Fund	\$ 6,671.00
TOTAL REDUCTIONS	\$ 6,671.00

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

PROPOSAL NO. 248, 1977. Following the County & Townships Committee report, the Council recessed to a Committee of the Whole at 7:26 p.m., for public hearing. The Council reconvened at 7:27 p.m. Mr. Schneider then moved, and the motion was duly seconded, for the adoption of Proposal No. 248, 1977. The motion carried on the following roll call vote; viz:

20 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Howard, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

7 NOT VOTING: Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Dowden, Mr. Hawkins, Mrs. Journey and Mr. Pearce.

Proposal No. 248, 1977, was retitled **FISCAL ORDINANCE NO. 75, 1977**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 75, 1977

A **FISCAL ORDINANCE** amending the **CITY-COUNTY ANNUAL BUDGET FOR 1977** (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional five thousand sixty-three dollars (\$5,063.00) in the County General Fund for purposes of Superior Court, Room 5, and the County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of continuing an employee of Superior Court Room 5 for the period March 1 through December 31, 1977, financed by C.E.T.A. grant.

SECTION 2. The sum of five thousand sixty-three dollars (\$5,063.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

SUPERIOR COURT, ROOM 5	COUNTY GENERAL FUND
10. Services Personal	\$ 4,500.00
COUNTY AUDITOR	
24. Current Charges	270.00
25. Current Obligations	293.00
TOTAL INCREASES	\$ 5,063.00

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

Unappropriated and unencumbered	COUNTY GENERAL FUND
County General Fund	\$ 5,063.00
TOTAL REDUCTIONS	\$ 5,063.00

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

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

PROPOSAL NO. 249, 1977. By consent, this proposal was postponed until the meeting of October 24, 1977.

PROPOSAL NO. 294, 1977. Councilman West explained that this proposal was providing funds for the "runaway pappy" program. Twenty-five percent of the funds collected goes into the County General Fund. Mr. West then moved seconded by Mr. Hawkins, to substitute Proposal No. 294, 1977, Committee Recommendations, in lieu of Proposal No. 294, 1977, as introduced. The motion carried by unanimous voice vote. The Council recessed at 7:29 p.m. for public hearing and reconvened at 7:30 p.m. Following public hearing and discussion Proposal No. 294, 1977, As Amended, was adopted on the following roll call vote:

25 AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilme, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Mille, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

2 NOT VOTING: Mr. Clark and Mr. Howard.

Proposal No. 294, 1977, As Amended, was retitled FISCAL ORDINANCE NO. 7, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 76, 1977

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional one hundred seventeen thousand five hundred twenty dollars and fifty-seven cents (\$117,520.57) in the County General Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of expenses of the Prosecuting Attorney connected with the Title IV-D Program to be reimbursed by the Welfare Department.

SECTION 2. The sum of one hundred seventeen thousand five hundred twenty dollars and fifty-seven cents (\$117,520.57) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

	PROSECUTOR	COUNTY GENERAL FUND
10.	Personal Services	\$ 88,951.20
21.	Services Contractual	6,500.00
22.	Supplies	2,500.00
24.	Current Charges	4,944.00
50.	Properties	4,320.00
	COUNTY AUDITOR	
24.	Current Charges	3,200.40
25.	Current Obligations	7,104.97
	TOTAL INCREASES	<u>\$ 117,520.57</u>

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

	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	\$ 117,520.57
TOTAL REDUCTIONS	<u>\$ 117,520.57</u>

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

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

ROPOSAL NO. 295, 1977. Councilman West explained that the money proposed to buy new radar equipment would be reimbursed by a federal grant. The council recessed to a Committee of the Whole at 7:39 p.m. for public hearing and reconvened at 7:40 p.m. Following public hearing and discussion, the proposal was adopted on the following roll call vote; viz:

5 A YES: 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. Vollmer, Mr. Walters and Mr. West.

1 NO: Mr. Anderson.

1 NOT VOTING: Mr. Bayt.

Proposal No. 295, 1977, was retitled FISCAL ORDINANCE NO. 77, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 77, 1977

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 (\$7,756.00) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of purchase of radar units with federal grant funds.

SECTION 2. The sum of seven thousand seven hundred fifty-six dollars (\$7,756) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

	COUNTY SHERIFF — JAIL	COUNTY GENERAL FUND
50. Properties		\$ 7,756
TOTAL INCREASES		\$ 7,756

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

	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	\$ 7,756
TOTAL REDUCTIONS	\$ 7,756

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

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

PROPOSAL NO. 311, 1977. Councilman Schneider presented the committee report and then called upon Mr. Richard Payne, Senior Financial Analyst, who stated that the auditor had received \$250,000 from the sale of data processing equipment in the first half of 1977 and had not notified the Chairman of the County & Townships Committee of the receipt of these funds. He also appropriated the \$250,000 in the 1978 budget. These funds will become available at the end of the year by underspending the 1977 budget by \$250,000. The Council recessed to Committee of the Whole at 7:43 p.m. for public hearing and reconvened at 7:44 p.m. Following public hearing and discussion, Proposal No. 311, 1977, was adopted on the following roll call vote; viz:

25 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. Schneider, Mr. SerVaas, Mr. Vollmer and Mr. Walters.

2 NOES: Mr. Rippel and Mr. West.

Proposal No. 311, 1977, was retitled FISCAL ORDINANCE NO. 78, 1977, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 78, 1977

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) and appropriating an additional two hundred fifty thousand dollars (\$250,000) in the County General Fund for purposes of the Central Data Processing Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of restoring appropriations previously transferred for equipment purchase and lease transaction.

SECTION 2. The sum of two hundred fifty thousand dollars (\$250,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

	CENTRAL DATA PROCESSING	COUNTY GENERAL FUND
21. Contractual Services		\$ 20,000
24. Current Charges		220,000
50. Properties		10,000
TOTAL INCREASES		\$ 250,000

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

	COUNTY GENERAL FUND
Unappropriated and Unencumbered	
County General Fund	\$ 250,000
TOTAL REDUCTIONS	\$ 250,000

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

SPECIAL ORDERS – UNFINISHED BUSINESS

PROPOSAL NO. 272, 1977. Councilman McPherson presented the committee report and then suggested Mr. Kimbell, who is a member of the Clean City Committee, make a few comments. In answer to a question by Mr. Howard, Mr. Kimbell stated the committee was interested in referrals and complaints from citizens. This proposal would make the committee responsible to the Mayor. Following discussion, Proposal No. 272, 1977, was adopted on the following roll call vote; viz:

27 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. Vollmer, Mr. Walters and Mr. West.

NO NOES.

Proposal No. 272, 1977, was retitled SPECIAL RESOLUTION NO. 24, 1977, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 24, 1977

A SPECIAL RESOLUTION supporting the Clean Community System as developed by Keep America Beautiful, Inc., and recognizing the Indianapolis Clean City Committee.

WHEREAS, the City of Indianapolis desires to improve the physical quality of community life; and

WHEREAS, the expense of collecting and disposing of loose refuse is an ever-increasing expense to the city; and

WHEREAS, the Clean Community System, developed by Keep America Beautiful, Inc., will assist greatly in reducing the improper handling of waste in our city, and thereby reduce litter; 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 hereby endorses the Clean Community System, and supports the participation of the City of Indianapolis in this System.

SECTION 2. In keeping with the design of the Clean Community System, the City-County Council of the City of Indianapolis hereby recognizes the Indianapolis Clean City Committee. Said committee shall be an official committee of the City and accountable to the Mayor. The members and chairman of the Indianapolis Clean City Committee shall be appointed by the Mayor.

SECTION 3. This resolution shall be in full force and effect from and after its adoption.

SPECIAL ORDERS — FINAL ADOPTION

PROPOSAL NO. 312, 1977. Mr. Schneider explained that this proposal would increase the salaries for certain members of the County Election Board from \$6,900 to \$8,400. Following discussion, this proposal was adopted on the following roll call vote; viz:

24 AYES: Mr. Anderson, Mr. Bayt, Mrs. Brinkman, 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. Vollmer and Mr. Walters.

1 NO: Mr. West.

2 NOT VOTING: Mr. Boyd and Mr. Campbell.

Proposal No. 312, 1977, was retitled FISCAL ORDINANCE NO. 79, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1977

A FISCAL ORDINANCE amending the **CITY-COUNTY ANNUAL BUDGET FOR 1977** (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating three thousand dollars (\$3,000) in the County General Fund for purposes of the County Election Board and reducing certain other appropriations for that Board.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of salary increases for deputy clerks.

SECTION 2. The sum of three thousand dollars (\$3,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriations are hereby approved:

	COUNTY ELECTION BOARD	COUNTY GENERAL FUND
10. Personal Services		\$ 3,000
TOTAL INCREASES		\$ 3,000

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

	COUNTY ELECTION BOARD	COUNTY GENERAL FUND
21. Contractual Services		\$ 3,000
TOTAL REDUCTIONS		\$ 3,000

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

PROPOSAL NO. 225, 1977. Councilman Rippel stated that the Transportation Committee recommended striking this proposal because the Department of Transportation already has a policy for constructing wheelchair ramps and some of the standards outlined in the proposal were impossible for DOT to meet. He then moved, seconded by Mr. Bayt, that Proposal No. 225, 1977, be stricken. Mrs. Binkman stated that neither she nor Mr. Vollmer, representatives to the Mayor's Task Force for the handicapped, had been notified that this proposal was going to be under discussion at the Transportation Committee meeting. Mr. Kimbell moved, seconded by Mr. Howard, to refer Proposal No. 225, 1977, back to committee. The motion carried on the following roll call vote; viz:

AYES: Mr. Boyd, Mrs. Binkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McPherson, Mr. Patterson, Mr. Pearce, Mr. Vollmer, Mr. Walters and Mr. West.

NOES: Mr. Anderson, Mr. Bayt, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Dumil, Mr. McGrath, Mr. Miller, Mr. Rippel, Mr. Schneider and Mr. SerVaas.

PROPOSAL NO. 273, 1977. Councilman Gilmer presented the Parks & Recreation Committee report stating this proposal protects certain predatory fish in compliance with state law. Mr. Art Strong, Superintendent of Eagle Creek Reservoir, said that protecting the large mouth bass, in particular, will help keep the fish in a natural balance. Following discussion, Proposal No. 273, 1977, was adopted on the following roll call vote; viz:

23 AYES: *Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Chambers, Mr. Clark, 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. Schneider, Mr. Vollmer, Mr. Walters and Mr. West.*

1 NO: *Mr. Rippel.*

3 NOT VOTING: *Mr. Boyd, Mrs. Coughenour and Mr. SerVaas.*

Proposal No. 273, 1977, was retitled GENERAL ORDINANCE NO. 90, 1977, and reads as follows:

CITY COUNTY GENERAL ORDINANCE NO. 90, 1977

A GENERAL ORDINANCE amending Code Section 7-75 and 7-76 to restrict the size and type of fish which may be possessed within the boundaries of Eagle Creek Reservoir and Park.

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

SECTION 1. Section 7-75 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined so as to read as follows:

After July 1, 1970, fishing will be permitted in the Eagle Creek Reservoir, but subject to all applicable state laws regulating fishing and subject also to any restrictions contained in this Article regarding the types of fish which may be possessed in the area. Although fishing may be permitted at any place on the surface of the reservoir, except within five hundred (500) yards of the dam, the department of parks and recreation, in its discretion, may prohibit fishing from the reservoir banks in various designated places when necessary for the public health, safety and general welfare. Netting, seining, trapping and trotline fishing are specifically prohibited.

SECTION 2. Section 7-76 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underlined so as to read as follows:

The following general rules and regulations shall apply to all users of the reservoir and to its surrounding environs.

- (1) The possession or consumption of alcoholic beverages is prohibited;
- (2) Hunting is prohibited;
- (3) The possession or use of firearms, knives and archery equipment is prohibited;
- (4) Camping, night camping, open fires, littering and damaging trees, shrubs or other growing things is prohibited;
- (5) Horseback riding is prohibited except on designated bridle paths;
- (6) Riding or driving vehicles of any kind or description is prohibited except where specifically designated.
- (7) The possession of a largemouth bass less than fourteen (14) inches in total length anywhere in the reservoir or park area is prohibited.

SECTION 3. This ordinance shall be in full force and effect from the time of its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 318, 1977. Councilman Gilmer stated this proposal allowed the purchase of trophies and the payment of referees without approval by the park board. He then moved, seconded by Mr. Howard, the following amendments:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 318, 1977, as follows:

In Section 1, line 12, delete the words "and secretary of the Board of Parks and Recreation" and insert in lieu thereof "of the Board of Parks and Recreation or his designated representatives."

Add a new section (e):

(e) No monies shall be disbursed to defray the expenses of any specific program contemplated herein in excess of amounts received for that specific program. It is the intent of this section that any specific program, the expenses for which are paid from either the Special Recreation Fund or from the Sports Account Fund, shall be self-sustaining, and not subsidized by monies received for any other specific program.

s/Gordon Gilmer

The motion carried by unanimous voice vote. Following discussion, Proposal No. 318, 1977, As Amended, was adopted on the following roll call vote; viz:

AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. 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. VanVaas, Mr. Vollmer, Mr. Walters and Mr. West.

NOES:

NOT VOTING: Mr. Boyd.

Proposal No. 318, 1977, As Amended, was retitled GENERAL ORDINANCE NO. 91, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 91, 1977

A GENERAL ORDINANCE designating special nonreverting operating funds within the Department of Parks and Recreation.

WHEREAS, the efficient administration of certain Parks and Recreation programs, which necessarily disburse a high volume of small payments for registration refunds, fees for part-time instructors, and other such transactions, calls for the funds allocated for such expenditures to be regularly and immediately accessible to the Department of Parks and Recreation; and

WHEREAS, the Board of the Department of Parks and Recreation has authorized by Special Resolution Number 12, 1975, the establishment of a special Recreation Fund and a Sports Account Fund; and

WHEREAS, the Indiana General Assembly has recognized the need for such direct control in IC 19-7-4-26, which provides for the designation of a special nonreverting operating fund for moneys from certain recreation activities; now, therefore:

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

SECTION 1. Chapter 2, Article X, Division 2 of the CODE OF INDIANAPOLIS AND MARION COUNTY (specifically Section 2-381) be, and is hereby amended by renumbering the existing section as subsection (a) and adding the following new sections:

(b) The City-County Council hereby designates the Special Recreation Fund and the Sports Account Fund as special nonreverting operating funds, from which approved expenditures for league fees, payment of umpires, and the like may be made by the Department without specific appropriation, which fund shall be comprised of fees derived from specific recreation and instructional programs.

(c) Moneys in the form of fees procured from golf courses, swimming pools, skating rinks or other similar facilities requiring major expenditures for management and maintenance shall not be deposited in the special nonreverting operating funds authorized by subsection (b).

(d) Moneys from the special nonreverting operating funds shall be disbursed only on approved claims allowed and signed by the president of the Board of Parks and Recreation or his designated representative, pursuant to applicable law and rulings of the State Board of Accounts.

(e) No moneys shall be disbursed to defray the expenses of any specific program contemplated herein in excess of amounts received for that specific program. It is the intent of this section that any specific program, the expenses for which are paid from either the Special Recreation Fund or from the Sports Account Fund, shall be self-sustaining, and not subsidized by moneys received for any other specific program.

PROPOSAL NO. 385, 1977. Due to the petitions opposing the issuance of the Park Bond, Mr. Gilmer moved, seconded by Mr. Rippel, to table Proposal No. 385, 1977. The motion carried by unanimous voice vote.

PROPOSAL NO. 168, 1977. Mr. Durnil stated that the utility company charge what it costs them to move utility poles. He then moved, seconded by Mr. Hawkins to strike Proposal No. 168, 1977. The motion carried by unanimous voice vote.

PROPOSAL NO. 126, 1977. The Administration Committee report was given to Mr. Miller who stated the alarm companies wanted to implement programs to protect themselves. The industry is to report back to the Council within one year concerning the reducing of false alarms. Mr. Miller then moved, seconded by Mr. Hawkins, to strike Proposal No. 126, 1977. The motion carried by unanimous voice vote.

PROPOSAL NO. 309, 1977. Mr. Miller moved to amend Proposal No. 309, 1977 by substituting the technical revision version in lieu of the proposal as introduced. The revised version specified indoor and outdoor theaters. This passed by unanimous voice vote. Following discussion, Proposal No. 309, 1977, As Amended was adopted on the following roll call vote; viz:

5 AYES: Mr. Anderson, Mr. Bayt, 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. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. Schneider, Mr. SerVaas, Mr. Vollmer, Mr. Walters and Mr. West.

NO NOES.

NOT VOTING: Mr. Boyd and Mr. McPherson.

Proposal No. 309, 1977, As Amended, was retitled GENERAL ORDINANCE NO. 2, 1977, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 92, 1977

A GENERAL ORDINANCE amending Chapter 17, Article XXIV of the CODE OF INDIANAPOLIS AND MARION COUNTY by prohibiting the display of certain presentations in establishments the stage or screen of which is visible from any public street or highway, and penalizing violations by revocation of the establishment's operating license.

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

SECTION 1. Chapter 17, Article XXIV of the CODE OF INDIANAPOLIS AND MARION COUNTY, is hereby amended by inserting the words underlined and deleting the words cross-hatched so as to read as follows:

Section 17-841. License required.

It shall be unlawful for any person to maintain or operate a concert hall or a theater, indoor or outdoor, in the city in which individuals appear as performers or in which motion picture, television or other entertainment is shown on a screen, without first obtaining a license therefor from the controller.

SECTION 2. Chapter 17, Article XXIV of the CODE OF INDIANAPOLIS AND MARION COUNTY, is hereby amended by inserting the words underlined and deleting the words cross-hatched so as to read as follows:

Section 17-845. Smoking in theaters.

It shall be unlawful for any person to smoke, light a match or cause a spark or flame in any indoor concert hall or theater, or for any licensee under this article to permit any person to smoke while within the licensed premises, except in specifically designated areas where smoking is permitted by determination of the bureau of fire prevention of the department of public safety.

SECTION 3. Chapter 17, Article XXIV, of the CODE OF INDIANAPOLIS AND MARION COUNTY, be, and is hereby, amended by adding a new Section 17-846 to read as follows:

Section 17-846. Outdoor Theatres.

(a) Definitions

- (1) "Proprietor" means any owner or manager of any outdoor theater, or his agents or employees.
- (2) "Presentation" means any play, motion picture, or other exhibition, whether picture, animated film, or live, exhibited before one or more persons.
- (3) "Sexual conduct" means any act of masturbation, sexual intercourse, or physical contact with an individual's unclothed genitals, pubic area, buttocks, or, if such individual be a female, breast.
- (4) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(b) Prohibition of Certain Presentations

No proprietor or an outdoor concert hall or theater shall cause or permit the displaying on the stage or screen of such concert hall or theater, any presentation, a part or all of which is visible from any public street or highway, which includes the following:

(1) an exhibition of the uncovered breasts of the human female or the uncovered genitals and/or pubic area of the human male or female, in a depiction or apparent depiction of sexual conduct or sexual excitement; or

(2) an exhibition of the uncovered breasts of the human female or the uncovered genitals and/or pubic area of the human male or female the effect of which exhibition is to appeal to the prurient interest in sex of minors or adults.

(c) Non-compliance with the terms of this section will result in revocation pursuant to Section 17-896 of the concert hall or theater's operating license.

SECTION 4. Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of the ordinance shall not be affected.

PROPOSAL NO. 310, 1977. Mr. Miller moved, seconded by Mr. Hawkins, to strike this proposal. He stated the summer was not indicative of the use of the third floor cafeteria and a further study should be made. Mr. Clark moved, seconded by Mr. Kimbell, to table this proposal until a study was made in November. Following lengthy discussion, Mr. Kimbell moved, seconded by Mr. Walters, the previous question. The motion carried on the following roll call vote; viz:

14 AYES: Mrs. Chambers, Mr. Clark, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, Mr. Walters and Mr. West.

11 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Schneider and Mr. Vollmer.

2 NOT VOTING: Mrs. Brinkman and Mr. Dowden.

The Chair then called for the vote on Mr. Clark's motion to table. The motion failed on the following roll call vote; viz:

11 AYES: Mrs. Chambers, Mr. Clark, Mr. Gilmer, Mr. Kimbell, Mr. McPherson, Mr. Miller, Mr. Patterson, Mr. Pearce, Mr. Rippel, Mr. SerVaas, and Mr. West.

15 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Schneider, Mr. Vollmer and Mr. Walters.

1 NOT VOTING: Mr. Hawkins.

The Chair then called the vote on the motion to strike. The motion carried by voice vote.

PROPOSAL NO. 313, 1977. Mr. West stated that the transfer of funds into the supplies account was for tapes to record hearings. Mr. Elrod, Legal Counsel, explained that tapes could not be erased until the statute of limitations for the appeal process had expired. Following discussion, Proposal No. 313, 1977, was adopted on the following roll call vote; viz:

AYES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Entwistle, Mrs. Chambers, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. McGrath, Mr. Pherson, Mr. Miller, Mr. Rippel, Mr. SerVaas, Mr. Vollmer and Mr. West.

NOES:
NOT VOTING: Mr. Clark, Mr. Patterson, Mr. Pearce, Mr. Schneider and Mr. Waters.

Proposal No. 313, 1977, was retitled FISCAL ORDINANCE NO. 80, 1977, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1977

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1977 (City-County Fiscal Ordinance No. 83, 1976) transferring and appropriating two thousand five hundred dollars (\$2,500) in the County General Fund for purposes of Criminal Court, Division I, and reducing certain other appropriations for that Court.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 7 of the City-County Annual Budget for 1977, is, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of increased expenses for office supplies.

SECTION 2. The sum of two thousand five hundred dollars (\$2,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriations are hereby approved:

CRIMINAL COURT, DIVISION I	COUNTY GENERAL FUND
22. Supplies	\$ 2,500
TOTAL INCREASES	\$ 2,500

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

CRIMINAL COURT, DIVISION I	COUNTY GENERAL FUND
24. Current Charges	\$ 2,500
TOTAL REDUCTIONS	\$ 2,500

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

PROPOSAL NO. 361, 1977. In the absence of Mr. Tinder, Mr. SerVaas gave the Finance and Policy Committee report. This proposal amended a city ordinance so that it would be in compliance with the state law. A few councilmen spoke against the ordinance, claiming infringement of local policy making. Mr. Boyd requested that representative from the State House of Representatives speak to the Council concerning this new

law. Following discussion, Proposal No. 361, 1977, was defeated on the following roll call vote; viz:

10 AYES: Mrs. Chambers, Mr. Durnil, Mr. Gilmer, Mr. Kimbell, Mr. McGrath, Mr. McPherson, Mr. Patterson, Mr. Pearce, Mr. Walters and Mr. West.

15 NOES: Mr. Anderson, Mr. Bayt, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Rippel, Mr. Schneider, Mr. SerVaas and Mr. Vollmer.

2 NOT VOTING: Mr. Cantwell and Mr. Miller.

PROPOSAL NOS. 405-417, 1977. No action was taken on these proposals, as they were retitled REZONING ORDINANCES NOS. 131-143, 1977, and read as follows:

**REZONING ORDINANCE NO. 131, 1977. 77-Z-116 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8
3949 NORTH HIGH SCHOOL ROAD, INDIANAPOLIS**
Gateway Corp. by William F. Lemond, Attorney, 600 Union Federal Building requests rezoning of 4.27 acres, being in C-3 district, to C-4 classification to permit the construction of a Guarantee Tire & Auto Service Center and other commercial uses.

**REZONING ORDINANCE NO. 132, 1977 77-Z-128 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
4739 SOUTH EMERSON AVENUE, INDIANAPOLIS**
Emmett O. Bandy by William F. LeMond, Attorney, 600 Union Federal Building requests rezoning of 10.00 acres, being in D-4 district, to C-3 classification to permit commercial development.

**REZONING ORDINANCE NO. 133, 1977 77-Z-129 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
4900 WEST 56TH STREET, INDIANAPOLIS**
Beni Ensley Moore, 4900 West 56th Street requests rezoning of 86.51 acres, being in SU, Su-3 and A-2 districts, to SU-3 classification to permit a golf course.

**REZONING ORDINANCE NO. 134, 1977 77-Z-130 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12
10535 EAST 30TH STREET, INDIANAPOLIS**
Edward & Clara Franke by Philip A. Nicely, Attorney, 1100 First Federal Bldg. requests rezoning of 23.29 acres, being in SU-2 district to D-4 classification to permit residential development by platting.

**REZONING ORDINANCE NO. 135, 1977 77-Z-132 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8
4430 NORTH GUION ROAD, INDIANAPOLIS**
James Gerstle and Joel A. Samson by Richard M. Mantel, Attorney, 1000 Circle Tower Building request rezoning of 5.00 acres, being in A-2 district, to I-2-S classification to permit industrial uses.

**REZONING ORDINANCE NO. 136, 1977 77-Z-134 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
3148 SOUTH COLLIER STREET, INDIANAPOLIS**
Otis and Emalee Smith, 3148 South Collier Street request rezoning of 0.35 acre, being in D-5 district, to C-5 classification to permit repair of cars and trucks.

REZONING ORDINANCE NO. 137, 1977 77-Z-135 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 11
2117 NORTH GALE STREET
Southeastern Supply Co., Inc. by Colorcon, Inc. by Stephen D. Mears, Attorney, Market Square Center No. 1135 requests rezoning of 0.33 acre, being in D-5 district to I-3-U classification to permit expansion and conversion of an existing industrial development.

REZONING ORDINANCE NO. 138, 1977 77-Z-136 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
1218 EAST REISNER STREET, INDIANAPOLIS
Homer K. & Martha R. Maddox, 1917 Wilkins St. request rezoning of 0.17 acre, being in D-5 district, to C-3 classification to permit a beauty shop.

REZONING ORDINANCE NO. 139, 1977 77-Z-138 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
3940 SOUTH BRILL STREET, INDIANAPOLIS
Joseph A. Kiorsky be Lifegate Baptist Church by Reverend J. O. Hosier, 1201 North Delaware Street requests rezoning of 8.50 acres, being in D-4 district, to SU-1 classification to permit church uses.

REZONING ORDINANCE NO. 140, 1977 77-Z-140 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
4605 SOUTH HARDING STREET, INDIANAPOLIS
Sun Oil Company of Pennsylvania by Carl T. Reis, Agent, 1000 Merchants Bank Bldg. requests rezoning of 0.91 acre, being in I-3-S and C-2 districts, to C-3 classification to permit a restaurant.

REZONING ORDINANCE NO. 141, 1977 77-Z-141 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18
4917 WEST VERMONT STREET, INDIANAPOLIS
Speedway Lodge No. 500, Loyal Order of Moose, Inc. by John F. O'Donnell, Jr., Attorney, 808 First Federal Building requests rezoning of 15.46 acres, being in A-1 district, to SU-34 classification to permit construction of a lodge.

REZONING ORDINANCE NO. 142, 1977 77-Z-151 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22
2300 SOUTHEASTERN AVENUE, INDIANAPOLIS
Lane Bryant, Inc., 2300 Southeastern Avenue by Richard M. Mantel, Attorney, 1000 Circle Tower Bldg. requests rezoning of 26.63 acres, being in C-3 district, to I-3-U classification to permit industrial use.

REZONING ORDINANCE NO. 143, 1977 77-Z-152 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
5297 CRAWFORDSVILLE ROAD, INDIANAPOLIS
F.O.C. Inc. by William F. LeMond, Attorney, 600 Union Federal Bldg. requests rezoning of 0.58 acre, being in A-2 district, to C-3 classification to permit an indoor restaurant.

ANNOUNCEMENTS AND ADJOURNMENT

Fred Armstrong, City Controller, encouraged all chairmen who had one of the proposals concerning the Economic Development Administration grants to be sure have a meeting early in October. If building does not begin by October 24, 1977, City will lose the grants.

ident SerVaas announced that it may become necessary for a special meeting of the Council to be called after action is taken in circuit court concerning the

Center Township Trustee's suit. If the Tax Adjustment Board cuts the 1978 budget this also may necessitate a special meeting.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 9:20 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 26th day of September, 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

