

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, APRIL 26, 1993**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:12 p.m. on Monday, April 26, 1993, with Councillor SerVaas presiding.

Councillor West led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Shambaugh announced that on August 6, 1994 the Indianapolis Motor Speedway will hold a Winston Cup NASCAR Race (National Association of Stock Car Auto Racing), the first ever for the City.

Councillor O'Dell stated that the Warren Township Fire Department and a fire department just outside Moscow, Russia, are involved in a technical exchange program sponsored by the U.S. State Department. Councillor O'Dell recognized Don Abbott, Training Director, Warren Township Fire Department. Mr. Abbott introduced the two Russian firemen, Chief Slava Mozaliv and Assistant Chief Stas Stanislav, and their interpreter Vladimir Ostrovsky.

The President acknowledged the presence of Carmen DeRusha, Special Program Coordinator for the Marion County Co-Op/Purdue Extension, and three of her foreign students who are from Chile, Equador and Peru.

OFFICIAL COMMUNICATIONS

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

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA.

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 26, 1993, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
Beurt SerVaas, President
City-County Council

April 13, 1992

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, April 15, 1993, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 179, 180, 193, 194, 195, 196, 198, 199, 214, 215, 216 and 217, 1993, to be held on Monday, April 26, 1993, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Beverly S. Rippy
Beverly S. Rippy, City Clerk

April 16, 1992

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, April 22, 1993, a copy of LEGAL NOTICE on General Ordinance No. 14, 1993.

Respectfully,
s/Beverly S. Rippy
Beverly S. Rippy, City Clerk

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

Ladies and Gentlemen:

April 26, 1993

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

FISCAL ORDINANCE NO. 18, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional \$3,914,984 in the Welfare General Fund for purposes of the Department of Public Welfare and reducing the unappropriated and unencumbered balance in the Welfare General Fund.

FISCAL ORDINANCE NO. 19, 1993, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional \$557,000 in the Park General Fund for purposes of the Department of Parks and Recreation, Natural Resources Division, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 20, 1993, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional \$134,000 in the Park General Fund for purposes of the Department of Parks and Recreation, Support Services Division, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 21, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional \$11,868 in the Park General Fund for purposes of the Department of Parks and Recreation, Marketing Services Division, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 24, 1993, amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional \$44,271 in the State and Federal Grants for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

SPECIAL RESOLUTION NO. 17, 1993, recognizing the 1992-93 Ben Davis Giants basketball team.

SPECIAL RESOLUTION NO. 18, 1993, recognizing the Ben Davis High School Golf Team.

SPECIAL RESOLUTION NO. 19, 1993, amending S.R. 76, 1991 by extending the expiration date on the Inducement Resolution for Allison Gas Turbine Division to October 31, 1993.

GENERAL ORDINANCE NO. 14, 1993, amending the Code by extending the current sewer service and user rates.

GENERAL ORDINANCE NO. 34, 1993, amending the Code by authorizing a multi-way stop at Fox Hill Drive and Hoover Road (District 2).

GENERAL ORDINANCE NO. 35, 1993, amending the Code by authorizing a four-way stop at Olney Street and 61st Street (District 7).

GENERAL ORDINANCE NO. 36, 1993, amending the Code by authorizing parking restrictions on Ray Street between Meridian Street and Union Street (District 16).

GENERAL ORDINANCE NO. 37, 1993, amending the Code concerning parking restrictions in the downtown area and on East Washington Street (District 16, 22).

GENERAL ORDINANCE NO. 38, 1993, amending the Code concerning parking restrictions on Washington Street from West Street to Somerset Avenue (District 16, 17).

SPECIAL ORDINANCE NO. 2, 1993, amending S.O. 1, 1993 which authorizes the issuance of City of Indianapolis, Indiana Economic Development Water Facilities Refunding Revenue Bonds, Series 1993 (Indianapolis Water Company Project) in an aggregate principal amount not to exceed \$11,600,000 and amending the authorized redemption provisions and certain other matters.

SPECIAL ORDINANCE NO. 3, 1993, determining not to allow the Marion County Department of Public Welfare to borrow, on a short-term basis, \$19,350,000 to fund welfare services for the remainder of 1993, and authorizing the County Auditor, upon receipt of an order from the State Board of Tax Commissioners, to borrow \$19,350,000 from a financial institution on behalf of the Marion County Department of Public Welfare to pay for the department's welfare obligations pursuant to IC 12-19-5 and appropriating the proceeds of the borrowing.

Respectfully,
s/Stephen Goldsmith
Stephen Goldsmith

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Councillor Gilmer moved to suspend the rules and move Proposal No. 226, 1993 up on the agenda. The President ruled that the proposal would be heard at the end of the Introduction of Proposals. The proposed agenda, as amended, was adopted by consent.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of April 12, 1993. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 234, 1993. This proposal, sponsored by Councillors Giffin and Borst, recognizes William K. McGowen, Jr. Councillor Giffin read the resolution and presented a framed document to Mr. McGowen, who expressed appreciation for the recognition. Councillor Giffin moved, seconded by Councillor Borst, for adoption. Proposal No. 234, 1993 was adopted by unanimous voice vote.

Proposal No. 234, 1993 was retitled SPECIAL RESOLUTION NO. 20, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 1993

A SPECIAL RESOLUTION recognizing William K. McGowan, Jr.

WHEREAS, things do not "just happen", they are initiated by good motivators and organizers; and

WHEREAS, one such man who makes things happen is William K. McGowan, Jr., President and CEO of both the Indianapolis Convention and Visitors Association and The Indianapolis Project, Inc.; and

WHEREAS, since McGowan assumed the top job of drumming up Indianapolis convention business in 1984, ICVA has increased its meeting bookings from 30 to 263 a year, the number of annual delegates went up from 147,000 to 632,000, and the number of room-night lodgings from 79,000 to 401,000; and

WHEREAS, since 1984, four million people have enjoyed conventions, trade shows, corporate meetings and other major events in Indianapolis due to the hard and smart work of Bill McGowan and the people who work with him; and

WHEREAS, Mr. McGowan is a graduate of Notre Dame University, is active in numerous trade and professional associations, and is always on duty for promoting Indianapolis as being a good place to hold one's event; and

WHEREAS, he has been honored as an "Outstanding Young Man of America", a "Man of the Year" by the Indianapolis Notre Dame Club, a "Sagamore of the Wabash" by Governors Bowen and Orr, crowned the "Irishman of the Year" by the Athletic Club, and has received commendations by the Indiana Society of Architects and by the American Bus Association; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes William K. McGowan, Jr., for his leadership, skill and energy to make Indianapolis a premier meeting and convention location.

April 26, 1993

SECTION 2. The Council wishes the best of continued success to Bill McGowan, his staff, and to the members and directors of the organizations which promote and host the thriving convention business in Indianapolis.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 235, 1993. This proposal, sponsored by Councillor Gilmer, recognizes radio newscaster Fred Heckman. Councillor Gilmer read the resolution and presented a framed document to Mr. Heckman, who expressed appreciation for the recognition. Mrs. Heckman was also present. The President voiced his admiration of Mr. Heckman. Councillor Gilmer moved, seconded by Councillor West, for adoption. Proposal No. 235, 1993 was adopted by unanimous voice vote.

Proposal No. 235, 1993 was retitled SPECIAL RESOLUTION NO. 21, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1993

A SPECIAL RESOLUTION recognizing radio newscaster Fred Heckman.

WHEREAS, for the past 36 years, Fred Heckman, News Director of WIBC Radio, got the city moving each morning; and

WHEREAS, during fast breaking news events, Heckman or his news reporters would be on location keeping the city up-to-the-minute, including the tense Tony Kiritsis hostage incident when the FBI authorized him to be the negotiator; and

WHEREAS, Mr. Heckman is a World War II and Korean War veteran, has served on the Board of the Radio and Television News Directors Association, is past State President of the AP and UPI Broadcast Organizations, has been active in SDX and the Indianapolis Press Club, has been on the Boards of the local chapters of the American Red Cross, American Legion and the American Cancer Society, and has been active each year with the Veterans Day Council; and

WHEREAS, he is commemorated in the Indiana Journalism Hall of Fame, is a Boy Scout Silver Beaver, received the Distinguished Carmel Resident Award, and has been named a Sagamore of the Wabash by Governors Welsh, Whitcomb, Bowen and Orr; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends Fred Heckman, a local radio newscaster since 1957 who was not prone to sensationalism, who dug for both sides of the story, who has been the dean of local electronic news, and a man who generously shared his time and talent with service and veterans organizations and to his professional societies.

SECTION 2. The Council wishes Mr. Heckman well in the future, and more time with certain headlines in his life that rate top billings, including his wife Barbara, their five children, and lakes full of big fish just waiting for the "Heckman hook".

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 228, 1993. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$27,000

for the County Auditor to purchase equipment;" and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 229, 1993. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 230, 1993. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving certain public purpose grants for support of the arts"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 232, 1993. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$270,723 to the Marion County Public Defender Agency to pay contractual public defender expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 233, 1993. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by removing parking meters on the west side of Capitol Avenue between 16th Street and 21st Street (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 236, 1993. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION rejecting amendments to Regulation XIII Asbestos Abatement, adopted April 8, 1993"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 214, 215 and 216, 1993. These proposals are rezoning ordinances for certain property in Washington Township, Councilmanic District 4, located at 3520 East 56th Street (approximate address). Proposal Nos. 214, 215 and 216, 1993 were certified by the Metropolitan Development Commission on April 8, 1993. On April 12, 1993, the Council voted to schedule a public hearing for April 26, 1993. Councillor Rhodes made the following announcement:

Mr. President:

The petitioners and remonstrators in Rezoning Petitions 92-Z-127A, 127B and 127C have reached a settlement which has been incorporated in additional commitments which were ratified by the Metropolitan Development Commission on April 21, 1993.

I therefore move that Proposal Nos. 214, 215 and 216, 1993 as modified by the additional commitments be adopted without formal hearing.

s/Councillor Stuart Rhodes

Councillor Rhodes said that he wished to thank all the neighbors together with the staffs from the Department of Metropolitan Development, the Department of Transportation and the

Department of Public Works for working to reach an agreement on the rezoning of the property at 3250 East 56th Street.

Councillor Rhodes' motion was seconded by Councillor Dowden and passed by unanimous voice vote.

Proposal Nos. 214, 215 and 216, 1993 were adopted by the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Black, Moriarty, Schneider*

Proposal Nos. 214, 215 and 216, 1993 were retitled REZONING ORDINANCE NOS. 52, 53 and 54, 1993 and are identified as follows:

REZONING ORDINANCE NO. 52, 1993. 92-Z-127A WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #04.

3520 EAST 56TH STREET (approximate address), INDIANAPOLIS.

JOSEPH W. HARRICK, by James B. Burroughs, requests the rezoning of 7.025 acres, being in the D-A District, to the SU-1 classification to provide for a church.

REZONING ORDINANCE NO. 53, 1993. 92-Z-127B WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #04.

3520 EAST 56TH STREET (approximate address), INDIANAPOLIS.

JOSEPH W. HARRICK, by James B. Burroughs, requests the rezoning of 11.923 acres, being in the D-A District, to the D-5 classification to provide for residential development.

REZONING ORDINANCE NO. 54, 1993. 92-Z-127C WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #04.

3520 EAST 56TH STREET (approximate address), INDIANAPOLIS.

JOSEPH W. HARRICK, by James B. Burroughs, requests the rezoning of 21.709 acres, being in the D-A District, to the D-4 classification to provide for residential development.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 226, 1993. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 226, 1993 on April 19, 1993. The proposal, sponsored by Councillor Gilmer, approves a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$5,000. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gilmer introduced Pat Finneran, the author of the booklet *USS Indianapolis (CA-35)* and a member of the USS Indianapolis Survivor Memorial Organization, Inc. He thanked the Council for the \$5,000 grant. Mr. Finneran acknowledged the presence of Marcia Mackey, Mike Barth, and Keith Smith, who are also members of the USS Indianapolis Survivor Memorial Organization, Inc. He recognized the lone Indianapolis survivor of the USS Indianapolis, Jim O'Donnell. Tom O'Donnell, Jim O'Donnell's son, was also present.

Councillor Gilmer stated that he hopes the Council will make an additional contribution to this organization. Councillor Short moved that within the next year to eighteen months the Council put together a gift of \$50,000 for this project. Councillor Jimison seconded this motion. The President thanked Councillors Short and Jimison for their remarks.

Councillor Rhodes moved, seconded by Councillor Gilmer, for adoption. Proposal No. 226, 1993 was adopted by unanimous voice vote.

Proposal No. 226, 1993 was retitled SPECIAL RESOLUTION NO. 22, 1993 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1993

A SPECIAL RESOLUTION approving a public purpose grant to USS Indianapolis Survivors Memorial Organization, Inc. in the amount of \$5,000.

WHEREAS, the City-County Council for the City of Indianapolis and Marion County proposes to authorize the City Controller to make a public purpose grant in the amount of \$5,000 to the USS Indianapolis Survivors Memorial Organization, Inc. in its effort to build a memorial on the banks of the downtown Canal to honor those who gave their lives as well as the survivors of the USS Indianapolis; and

WHEREAS, the heavy cruiser USS Indianapolis (CA-35), named after Indiana's capital city, had just delivered the two atomic bombs from the U.S. to Tinian Island when the ship was sunk by a Japanese submarine on July 30, 1945; and

WHEREAS, of the 1,197 sailors and marines on board, 880 lost their lives; and

WHEREAS, Section 4.01(c) of City-County Fiscal Ordinance No. 57, 1992 Annual Budget and Tax Levies for the Consolidated City of Indianapolis and for Marion County, Indiana, requires that sums appropriated therein for public purpose grants shall not be spent until the City-County Council of the City of Indianapolis and of Marion County, Indiana approves the amount and identity of the recipient of each grant; and

WHEREAS, the Council, in concert with Mayor Stephen Goldsmith, finds it fitting and proper that this Grant should be approved; now, therefore:

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

SECTION 1. The Grant by the City Controller in the amount of \$5,000 to USS Indianapolis Survivors Memorial Organization, Inc. is hereby approved. No grant funds shall be used in whole or in part to fund any program which endorses a political candidate or which attempts to promote or influence legislation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 237-241, 1993. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 22, 1993". The Council did not schedule Proposal Nos. 237-241, 1993 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 237-241, 1993 were retitled REZONING ORDINANCE NOS. 47-51, 1993 and are identified as follows:

REZONING ORDINANCE NO. 47, 1993. 93-Z-27. DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.
5640 SOUTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.
JEFFREY M. REASNER requests the rezoning of 36.0 acres, being in the D-A District, to the D-4 classification to provide for residential development.

REZONING ORDINANCE NO. 48, 1993. 93-Z-33 PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 02.
3102 WEST 79TH STREET (approximate address), INDIANAPOLIS.
BART ASHBY requests the rezoning of 0.50 acre, being in the D-5 District, to the D-3 classification to provide for residential development.

April 26, 1993

REZONING ORDINANCE NO. 49, 1993. 93-Z-34 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

128 SOUTH COLLEGE AVENUE (REAR) (approximate address), INDIANAPOLIS.
DEPARTMENT OF METROPOLITAN DEVELOPMENT OF NEIGHBORHOOD & DEVELOPMENT
SERVICES DIVISION requests the rezoning of 0.077 acre, being in the I-4-U District, to the C-ID classification
to provide for a parking lot for a contractor's business.

REZONING ORDINANCE NO. 50, 1993. 93-Z-38 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 18.

1202 NORTH GIRLS SCHOOL ROAD (approximate address), INDIANAPOLIS.
M. S. D. OF WAYNE TOWNSHIP, by Philip A. Nicely, requests the rezoning of 41.212 acres, being in the SU-
16 District, to the SU-2 classification to provide for educational uses associated with the Ben Davis High School
campus.

REZONING ORDINANCE NO. 51, 1993. 93-Z-41 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 06.

3940 NORTH PENNSYLVANIA STREET (approximate address), INDIANAPOLIS.
D. A. REVNYAK requests the rezoning of 0.28 acre, being in the D-9 District, to the D-5 classification to
provide for a single family residence.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 217, 1993. This proposal is a rezoning ordinance for certain property in Washington Township, Councilmanic District 4, located at 4920 East 56th Street (approximate address). Proposal No. 217, 1993 was certified by the Metropolitan Development Commission on April 8, 1993. On April 12, 1993, the Council voted to schedule a public hearing for April 26, 1993. Councillor Dowden stated that both petitioner and remonstrators have agreed to a postponement; therefore, he asked for consent to postpone Proposal No. 217, 1993 until May 10, 1993. Consent was given.

PROPOSAL NO. 160, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 160, 1993 on April 7 and 14, 1993. The proposal appropriates \$372,074 for the Marion County Justice Agency to remit the final arbitrage payment on the JUSTIS bond and to cover repair expenses and the purchase of new equipment for the JUSTIS II system. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:56 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 160, 1993 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

1 NAY: Black

3 NOT VOTING: Brents, Giffin, Ruhmkorff

Proposal No. 160, 1993 was retitled FISCAL ORDINANCE NO. 25, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Three Hundred Seventy-two Thousand Seventy-four Dollars

(\$372,074) in the Public Safety Escrow Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Public Safety Escrow 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 1.02 (dd) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to pay the final arbitrage payment on the Justis bond and to have repairs made and equipment purchased for the Justis II System.

SECTION 2. The sum of Three Hundred Seventy-two Thousand Seventy-four Dollars (\$372,074) 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:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>PUBLIC SAFETY ESCROW FUND</u>
3. Other Services and Charges	\$356,191
4. Capital Outlay	<u>15,883</u>
TOTAL INCREASE	\$372,074

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

	<u>PUBLIC SAFETY ESCROW FUND</u>
Unappropriated and Unencumbered	
Public Safety Interest Escrow	<u>\$372,074</u>
TOTAL REDUCTION	\$372,074

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 179, 1993. This proposal appropriates \$86,214 for the County Auditor to pay the law enforcement continuing education program fees for the law enforcement agencies within Marion County. Councillor Rhodes asked for consent to postpone Proposal No. 179, 1993 until May 10, 1993. Consent was given.

PROPOSAL NO. 180, 1993. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 180, 1993 on April 19, 1993. The proposal appropriates \$61,295 for the Department of Administration, Central Equipment Management Division, to purchase a new dump truck. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Black asked if the new dump truck will be American-made. Councillor Rhodes said that the purchase order, by law, cannot by law specify that the item be American-made; it has to be the lowest and best bid.

The President called for public testimony at 7:59 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 180, 1993 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*

0 NAYS:

3 NOT VOTING: *Brents, Hinkle, Ruhmkorff*

Proposal No. 180, 1993 was retitled FISCAL ORDINANCE NO. 26, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Sixty-one Thousand Two Hundred Ninety-five Dollars (\$61,295) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Administration, Central Equipment Management Division, to replace a worn out vehicle.

SECTION 2. The sum of Sixty-one Thousand Two Hundred Ninety-five Dollars (\$61,295) 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:

<u>DEPARTMENT OF ADMINISTRATION/CENTRAL EQUIPMENT MANAGEMENT DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	<u>\$61,295</u>
TOTAL INCREASE	\$61,295

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered Consolidated County Fund	<u>\$61,295</u>
TOTAL REDUCTION	\$61,295

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 193, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 193, 1993 on April 14, 1993. The proposal appropriates \$14,227 for the Prosecuting Attorney, acting as subgrantee for the Indiana Criminal Justice Institute, to pay the salary of one domestic violation counsellor for the Salvation Army for its Domestic Violence Victim's Counseling Project. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:05 p.m.

Abu X. Henderson, President of Social Action Committee 2000, stated that he believes more of the City resources need to be directed toward juveniles. The juvenile system is overcrowded and education for the juveniles consists of an hour and a half a day.

Councillor Dowden moved, seconded by Councillor Moriarty, for adoption. Proposal No. 193, 1993 was adopted on the following roll call vote; viz:

28 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

1 NOT VOTING: Hinkle

Proposal No. 193, 1993 was retitled FISCAL ORDINANCE NO. 27, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Fourteen Thousand Two Hundred Twenty-seven Dollars (\$14,227) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants 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 1.02 (w) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to proceed with the annual appropriation for the Salvation Army by utilizing a federal grant from the Indiana Criminal Justice Institute.

SECTION 2. The sum of Fourteen Thousand Two Hundred Twenty-seven Dollars (\$14,227) 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:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>\$14,227</u>
TOTAL INCREASE	<u>\$14,227</u>

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>\$14,227</u>
TOTAL REDUCTION	<u>\$14,227</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 194, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 194, 1993 on April 14, 1993. The proposal appropriates \$10,000 for the Prosecuting Attorney to extend the Street Terrorist Offender Program through September 30, 1993. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:07 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Gilmer, for adoption. Proposal No. 194, 1993 was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

3 NOT VOTING: Black, Brents, Gray

Proposal No. 194, 1993 was retitled FISCAL ORDINANCE NO. 28, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Ten Thousand Dollars (\$10,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants 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 1.02 (w) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to appropriate additional funding and extend the grant period for the Street Terrorist Offender Program to September 30, 1993.

SECTION 2. The sum of Ten Thousand Dollars (\$10,000) 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:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$ 8,300
 <u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>1,700</u>
TOTAL INCREASE	\$10,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$10,000</u>
TOTAL REDUCTION	\$10,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 195, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 195, 1993 on April 14, 1993. The proposal appropriates \$62,400 for the Prosecuting Attorney to pay the salaries of an additional deputy prosecutor and a probation officer with the new drunk driving program. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 195, 1993 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:
2 NOT VOTING: *Hinkle, Schneider*

Proposal No. 195, 1993 was retitled FISCAL ORDINANCE NO. 29, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Sixty-two Thousand Four Hundred Dollars (\$62,400) in the Alcohol and Drug Services Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the Alcohol and Drug Services 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 1.02 (w) and (b) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to hire a Deputy Prosecutor and Probation Officer to serve as part of a new comprehensive drunk driving program.

SECTION 2. The sum of Sixty-two Thousand Four Hundred Dollars (\$62,400) 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:

<u>PROSECUTING ATTORNEY</u>	<u>ALCOHOL AND DRUG SERVICES FUND</u>
I. Personal Services	\$52,000
<u>COUNTY AUDITOR</u>	
I. Personal Services (fringes)	<u>10,400</u>
TOTAL INCREASE	\$62,400

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

	<u>ALCOHOL AND DRUG SERVICES FUND</u>
Unappropriated and Unencumbered Alcohol and Drug Services Fund	<u>\$62,400</u>
TOTAL REDUCTION	\$62,400

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 196, 1993. The proposal appropriates \$21,851 for the Superior Court, Juvenile Division/Detention Center, to pay the salary of a truancy probation officer. Councillor Dowden asked for consent to postpone Proposal No. 196, 1993 until May 10, 1993. Consent was given.

PROPOSAL NO. 198, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 198, 1993 on April 14, 1993. The proposal appropriates \$22,000 for the Marion County Public Defender Agency to increase 1993 appropriations to the amount specified in the 1992 public defender mandate settlement. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:11 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 198, 1993 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

April 26, 1993

4 NOT VOTING: Hinkle, O'Dell, Rhodes, Schneider

Proposal No. 198, 1993 was retitled FISCAL ORDINANCE NO. 30, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) appropriating an additional Twenty-two Thousand Dollars (\$22,000) in the Supplemental Public Defender Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the Supplemental Public Defender 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 1.02 (ccc) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Public Defender Agency to increase 1993 appropriations to the amount specified in the 1992 public defender mandate settlement.

SECTION 2. The sum of Twenty-two Thousand Dollars (\$22,000) 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:

<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	<u>SUPPLEMENTAL PUBLIC DEFENDER FUND</u>
3. Other Services and Charges	<u>\$22,000</u>
TOTAL INCREASE	\$22,000

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

	<u>SUPPLEMENTAL PUBLIC DEFENDER FUND</u>
Unappropriated and Unencumbered Supplemental Public Defender Fund	<u>\$22,000</u>
TOTAL REDUCTION	\$22,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 199, 1993. The proposal appropriates \$3,600 for the Superior Court, Criminal Division, Probation Department, to fund a workshop series that will provide assessments of probations. Councillor Dowden asked for consent to postpone Proposal No. 199, 1993 until May 10, 1993. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 84, 1993. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 84, 1993 on April 19, 1993. The proposal amends S.R. No. 80, 1992 by clarifying participation dates of County employees who join the Public Employees Retirement Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor O'Dell, for adoption. Proposal No. 84, 1993 was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West, Williams
0 NAYS:

4 NOT VOTING: Hinkle, O'Dell, Schneider, Smith

Proposal No. 84, 1993 was retitled SPECIAL RESOLUTION NO. 23, 1993' and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1993

A SPECIAL RESOLUTION for an amendment to Special Resolution No. 80, 1992 which authorized certain employees of Marion County to join the Public Employees Retirement Fund ("P.E.R.F.").

WHEREAS, the City-County Council of Indianapolis and Marion County, on April 8, 1974 passed Special Resolution No. 14, 1974, authorizing certain employees of Marion County not already covered by a State pension plan to be covered by the P.E.R.F.; and

WHEREAS, on November 2, 1992, the City-County Council of Indianapolis and Marion County passed Special Resolution No. 80, 1992 to allow for the participation of other County employees in the P.E.R.F.; and

WHEREAS, the City-County Council now desires to amend Special Resolution No. 80, 1992; now, therefore:

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

SECTION 1. Special Resolution No. 80, 1992 is hereby amended by deleting the words stricken-through and adding the words underlined as follows:

SECTION 1. In addition to all county employees and elected and appointed officials covered by Special Resolution No. ~~514, 19774~~, the County of Marion elects to extend membership in the P.E.R.F. to County employees as described in Section 2.

SECTION 2. A. All County employees who occupy positions normally requiring performance of service of one thousand five hundred fifty (1,550) hours or more during a calendar year shall be members of the P.E.R.F. Participation of these employees in the P.E.R.F. shall date from July 1, 19784 (as provided in Special Resolution No. ~~514, 19774~~) or the employee's date of hire, whichever is later, or as otherwise provided by law.

B. All County employees ~~hired on or after April 1, 1992~~ who occupy positions normally requiring performance of service of less than one thousand five hundred and fifty (1,550) hours per year and who were hired on or after April 1, 1992 or who began to work in such a position on or after April 1, 1992 shall not be eligible to participate in the P.E.R.F.

C. All current County employees who occupy positions normally requiring performance of services of more than one thousand (1000) hours and less than one thousand five hundred fifty (1,550) during a calendar year and who are currently participating in the P.E.R.F. shall have the option of deciding whether they wish to continue their participation in the P.E.R.F. Employees who desire to discontinue their participation in the P.E.R.F. shall have until December 31, 1992 to notify the Marion County Auditor's Office that they wish to discontinue their participation. Any employee who does not notify the Auditor's office as to which option he/she desires shall be continued in the P.E.R.F. The date of participation for those employees who elect to remain in the P.E.R.F. shall be the date of July 1, 19784 or their date of hire, whichever is later, or as otherwise provided by law.

SECTION 2. Should any provision, section, paragraph, sentence, clause or any other portion of this resolution be declared by a Court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if, such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this resolution. To this end the provisions of this resolution are severable.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 181, 1993. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 181, 1993 on April 19, 1993. The proposal, sponsored by

Councillor Dowden, amends the Code concerning sick leave for police officers. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Dowden, for adoption. Proposal No. 181, 1993 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

3 NOT VOTING: *Hinkle, O'Dell, Williams*

Proposal No. 181, 1993 was retitled GENERAL ORDINANCE NO. 39, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1993

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by revising certain benefits provided for sworn members of the Indianapolis Police Department.

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

SECTION 1. Chapter 23, Article VIII, Sec. 23-104, of the Code of Indianapolis and Marion County is hereby amended by deleting the words stricken-through and inserting the words underlined as follows:

Sec. 23-104. Sick leave.

(a) Any active member of the police department hired on or before December 31, 1984, or after January 1, 1993, or any active member who is hired between these two dates and who makes an election pursuant to Sec. 4(d) who is unable to perform the duties of his employment by reason of sickness, accident or injury is entitled to not less than ninety (90) calendar days sick leave with full pay in a calendar year, or for the period of such incapacity, should said period be less than ninety (90) days. In the case of an officer incurring a sickness, accident or injury in the direct line of duty the chief, with the approval of the director of public safety, may, upon written application of the officer, extend paid sick leave. Before any extension may be rendered, a medical doctor or psychologist retained by the department must certify the member as unfit for active duty. If the member is unable to return to work he shall apply for a disability pension pursuant to state law. The merit board shall establish guidelines, policies, and procedures for the administration of paid sick leave and extensions thereof.

(b) Any active member of the Indianapolis Police Department hired between December 31, 1984 and January 1, 1993 and who does not make an election to opt out pursuant to Sec. 4(d), shall receive sick leaves as follows:

(1) *On-duty injury.* Any such member who is unable to perform the duties of his/her employment by reason of sickness, accident or injury incurred in the direct line of duty as certified by a medical doctor or psychologist retained by the department, shall be entitled to such leave with full pay for the period of such incapacity; however, such sick leave period shall not exceed ninety (90) consecutive calendar days in a calendar year. The chief, with the approval of director of public safety, may, upon written application of the officer, extend paid sick leave. Before any extension may be rendered a medical doctor or psychologist retained by the department must certify the member as unfit for active duty. If the member is unable to return to work he shall apply for a disability pension pursuant to state law. The merit board shall establish guidelines, policies and procedures for the administration of paid sick leave and extension thereof.

(2) *Nonduty injury.*

(i) *Definitions.*

a. "Sick leave" shall mean time off granted a police officer whose illness, accident, injury or disability prevents him/her from performing duties directed by the department. Sick leave is

intended to provide relief from loss of pay in cases of absence from work due to established incapacity to perform assigned duties, as defined and directed by the department, but is not to be regarded as an optional leave right.

- b. "Reasonable evidence" shall mean a certificate from a medical doctor licensed to practice medicine and employed by the police and fire medical clinic or another medical doctor approved by the department that the subject police officer is incapable of performing assigned duties as defined and directed by the department. Before granting or continuing sick leave with pay, the department may require evidence that the employee is actually sick or disabled.

(ii) *Accrual.*

- a. Upon commencement of employment, police officers shall have a bank of ninety-six (96) hours of sick leave for nonduty illnesses, accidents or injuries. Upon completion of one year of employment, police officers shall accrue sick leave at the rate of eight (8) hours per month, ninety-six (96) hours per year.
- b. Those police officers who are starting to work on or before the fifteenth day of the month shall have their account credited with a full month's accrual of sick time on the first day of the month following the month in which they were hired.
- c. Those police officers who are starting to work on or after the sixteenth day of the month shall have their account credited with a full month's accrual of sick time on the first day of the second month after they were hired.
- d. Sick leave time will only accrue if a police officer works or is paid for more than one-half the month; provided, however, no police officer shall continue to accrue sick leave or other fringe benefits while receiving pension disability payments.

(iii) *Unearned leave.* Sick leave cannot be used prior to accrual and cannot be earned while on any leave without pay status.

(iv) *Justification.* The burden of proof rests with the police officer to convince the department that sick leave is justifiable. The department may require a medical certificate or other evidence of illness as requested. Sick leave is only to be used for a personal doctor's appointment and/or personal illness.

(v) *Sick leave abuses.* In the case of sick leave abuse, the department may designate such leave as vacation leave, leave without pay, or as grounds for disciplinary action, including dismissal.

(vi) *Separation from employment.* Accrued sick leave will not be paid upon termination, except as follows: Upon separation from employment by reason of death, or retirement under circumstances such that the employee would be eligible for retirement benefits under state law, or in the event of a layoff, if such layoff was anticipated to last longer than six (6) months, an employee will be entitled to compensation or accrued accumulated sick leave at one-half his or her regular daily rate of compensation.

(vii) *Charging sick leave.* Sick leave may ~~only~~ be taken in ~~eight~~ one half hour increments.

(viii) *Carryover.* Accrued sick leave may be carried over from year to year.

(ix) *Accrual of other paid leave.* Vacation days shall accrue to police officers while on paid sick leave.

(c) Compliance with departmental policy. All sick leaves related to nonduty sicknesses, accidents and injuries must comply with departmental rules, regulations, orders and standard operating procedures.

(d) During the period from January 1, 1993 through January 31, 1993, an active member of the Indianapolis police department who was hired after December 31, 1984 and before January 1, 1993 shall have the opportunity to opt out of the sick leave provisions of Sec. 4(b) and into the sick leave provisions of Sec. 4(a). Such election shall be effective upon receipt of notice by the department. A police officer who fails to make the election during this period shall remain covered by the provisions of Sec. 4(b). A police officer who opts into the provisions of Sec. 4(a) shall forfeit all sick leave accumulated during his/her participation under the provisions of Sec. 4(b). A police officer who elects to opt into the provisions of Sec. 4(a) and who, during the period

January 1, 1993 through January 31, 1993 uses sick leave accumulated under Sec. 4(b) shall have one day of leave deducted from his/her ninety (90) bank for calendar year 1993 for each 8 hours of sick leave used during this period.

SECTION. 2. The expressed or implied repeal or amendment by this ordinance or any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION. 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION. 4. This ordinance shall be in effect from and after its passage by the council and compliance with IC 36-3-4-14.

PROPOSAL NO. 192, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 192, 1993 on April 14, 1993. The proposal amends the Code concerning pre-trial release fees. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 192, 1993 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, Smith, West
1 NAY: Black
4 NOT VOTING: Hinkle, O'Dell, Schneider, Williams

Proposal No. 192, 1993 was retitled GENERAL ORDINANCE NO. 40, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1993

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by revising the handling of pre-trial release fees.

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

SECTION 1. Chapter 2, Secs. 2-317 and 2-455, of the Code of Indianapolis and Marion County is hereby amended by deleting the language stricken-through and inserting the language underlined to read as follows:

Sec. 2-317. Additional Duties and Responsibilities.

The board shall be charged with the following duties and responsibilities:

- (a) To confer with the appropriate city, county, regional and federal agencies concerned with law enforcement and the administration of justice for the purpose of improving programs and policies;
- (b) To confer with the appropriate city, county, regional and federal agencies for the purpose of securing funds for the support of the MCJA;
- (c) To advise law enforcement and the justice agencies on improved policies and programs;

Journal of the City-County Council

- (d) To determine the means of financing any justice related information services, subject to the approval of the council where applicable;
- (e) To review and approve all budgets, contracts and expenditures for services, equipment purchases, rents or leases, consultants, management or technical personnel, studies, programs and materials or supplies for the subject agencies' common database justice information system;
- (f) To conduct studies and evaluations of any and all information needs and current systems operating in the subject agencies;
- (g) To contract for technical and specialized assistance in administering its duties;
- (h) To require annual plans and resources inventories of the subject agencies and submit such plans for inclusion in the annual city/county master plan for information services;
- (i) To develop, maintain and communicate information services policy for the subject agencies;
- (j) To submit job descriptions and salary levels consistent with ISA and the standards established by the auditor's office;
- ~~(k) To approve the employment or retention by personal services contract a director for justice systems who shall have such duties as directed herein. This director will report administratively to the director of ISA retained by the ISA board;~~
- ~~(k)~~ (k) To promulgate rules and regulations for the efficient administrations of its policies and procedures for the subject agencies;
- ~~(m)~~ (m) To establish requirements for standards for privacy of personally identifiable confidential information and security of systems and records of subject agencies;
- ~~(n)~~ (n) To delegate any functions to the director, subject to review by the board;
- ~~(o)~~ (o) To hire personnel, who serve at the director's pleasure according to law, to carry out its duties;
- ~~(p)~~ (p) To undertake such other studies or programs related to or involving the subject agencies as may be adopted by the board or assigned to the board by the city-county council;
- ~~(q)~~ (q) To contract for assistance in the collection of money owed to the subject agencies and to add the costs of collection, if amount owed exceeds twenty-five dollars (\$25.00) and became delinquent after July, 1986, to the amount owed and collected;
- ~~(r)~~ (r) To administer the Pre-Trial Services Division and its subdivisions including the Lock-Up Services, Conditional Release Office, Failure to Appear Office, and Office of the Jail Ombudsman;
- ~~(s)~~ (s) To administer the Law Enforcement fund and to have authority over expenditures from the fund;
- ~~(t)~~ (t) To coordinate expenditures of the County Correction Fund in furtherance of streamlining and coordination of the delivery of pre-trial services; and
- (t) To administer the Pre-Trial Release Fund and have authority over expenditures from the fund.

Sec. 2-455. Pre-Trial Release Fee.

A person arrested for a crime who is released pre-trial on terms and conditions other than the ten percent (10%) system of release shall pay an administrative fee of twenty dollars (\$20.00) to the Clerk of Marion County. The Clerk shall forward each month the administrative fees collected to the Auditor of Marion County. ~~in accordance with IC 33-19-1-3.~~ The Auditor shall deposit said fees in a special revenue fund to be known as the "Pre-Trial Release Fund," to be appropriated for expenditures for the enhancement of pre-trial and public defender services.

SECTION 2. The Revised Code of the Consolidated City and County is hereby amended by a new Article II in Chapter 135 to read as follows:

CHAPTER 135. FUNDS

ARTICLE II. NON REVERTING COUNTY FUNDS

Sec. 135-251. Pre-trial Release Fund. There is hereby established a special non-reverting county fund for the Marion County Justice Agency, to be designated the "Pre-trial Release Fund." The auditor shall deposit in such fund the pre-trial release fees.

Sec. 135-252. Non Reverting Fund. This fund shall be a continuing, non-reverting fund, with all balances remaining therein at the end of the year and no such balances shall lapse into the county general fund or be diverted directly or indirectly in any manner for any purpose other than that for which such revenues were received.

Sec. 135-253. Appropriations. Amounts shall be paid from such fund only pursuant to appropriations authorized by the city-county council in the normal budgeting processes.

SECTION 3. This ordinance shall be in effect from and after its passage by the council and compliance with IC 36-3-4-14.

PROPOSAL NO. 200, 1993. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 200, 1993 on April 14, 1993. The proposal, sponsored by Councillor Borst, transfers and appropriates \$64,220 for the Forensic Services Agency to pay the salaries of an additional latent print examiner and a laboratory custodian. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President asked Councillor Borst to give a report on the Forensic Services Agency. Councillor Borst said that the Agency's Crime Lab has two new items which will dramatically help solve crimes--the automated fingerprint system and the DNA process.

Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 200, 1993, as amended, was adopted on the following roll call vote; viz:

26 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

0 NAYS:

3 NOT VOTING: Black, Hinkle, Williams

Proposal No. 200, 1993, as amended, was retitled FISCAL ORDINANCE NO. 31, 1993 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1993

A FISCAL ORDINANCE amending the City-County Annual Budget for 1993 (City-County Fiscal Ordinance No. 57, 1992) transferring and appropriating an additional Sixty-four Thousand Two Hundred Twenty Dollars (\$64,220) in the County General Fund for purposes of the Forensic Services Agency and reducing certain other appropriations for that department.

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 1.02 (b) and (y) of the City-County Annual Budget for 1993, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency to hire an additional latent print examiner and a laboratory custodian.

SECTION 2. The sum of Sixty-four Thousand Two Hundred Twenty Dollars (\$64,220) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$52,000
 <u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>12,220</u>
TOTAL INCREASE	\$64,220

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$48,000
4. Capital Outlay	<u>16,220</u>
TOTAL REDUCTION	\$64,220

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 203, 204, 205 and 206, 1993. Councillor Gilmer asked for consent to vote on these four transportation proposals together. Consent was given. PROPOSAL NO. 203, 1993. The proposal amends the Code authorizing intersection controls for the subdivisions of Huntington Pointe and Huntington Ridge (District 1). PROPOSAL NO. 204, 1993. The proposal amends the Code authorizing stop signs at Banner Avenue and Dunn Way, and Dunn Way and Prairie Depot (District 19). PROPOSAL NO. 205, 1993. The proposal amends the Code authorizing stop signs at Katherine Drive and Louise Drive (District 25). PROPOSAL NO. 206, 1993. The proposal amends the Code authorizing stop signs at Allegheny Street and Cincinnati Street (District 22). Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 203-206, 1993 on April 14, 1993. By an 8-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal Nos. 203-206, 1993 were adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*
0 NAYS:
3 NOT VOTING: *Black, Rhodes, Williams*

Proposal No. 203, 1993 was retitled GENERAL ORDINANCE NO. 41, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 41, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

April 26, 1993

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8, Pg. 1	Bluffgrove Ci, Bluffgrove Ct & Bluffgrove Dr	Bluffgrove Ci & Bluffgrove Ct	Stop
8, Pg. 1	Bluffgrove Dr & Bluffgrove Ln	Bluffgrove Dr	Stop
8, Pg. 1	Bluffgrove Dr & Bluffridge Pkwy	Bluffridge Pkwy	Stop
8, Pg. 1	Bluffridge Ct, Bluffridge Pkwy, & Bluffridge Way	Bluffridge Pkwy	Stop
8, Pg. 1	Bluffridge Pkwy & Caribou Ci	Bluffridge Pkwy	Yield
8, Pg. 1	Bluffridge Pkwy & Caribou Ct	Bluffridge Pkwy	Yield
8, Pg. 1	Bluffridge Pkwy & Caribou Dr	Bluffridge Pkwy	Stop
8, Pg. 1	Antelope Blvd & Antelope Ci	Antelope Blvd	Yield
8, Pg. 1	Antelope Blvd & Antelope Ct	Antelope Blvd	Yield
8, Pg. 1	Antelope Blvd & Antelope Dr	Antelope Blvd	Stop
8, Pg. 1	Antelope Blvd & Antelope Ln	Antelope Blvd	Stop
8, Pg. 1	Antelope Blvd & Bluffridge Pkwy	Antelope Blvd	Stop
8, Pg. 1	Antelope Blvd & Shanghai Rd	Shanghai Rd	Stop
8, Pg. 1	Antelope Dr & Antelope Ln	Antelope Ln	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 204, 1993 was retitled GENERAL ORDINANCE NO. 42, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
29, Pg. 1	Banner Av & Dunn Way	Banner Av	Stop
29, Pg. 1	Dunn Way & Prairie Depot	Prairie Depot	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 205, 1993 was retitled GENERAL ORDINANCE NO. 43, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45, Pg. 3	Katherine Dr. & Louise Dr.	Louise Dr.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 206, 1993 was retitled GENERAL ORDINANCE NO. 44, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 1	Allegheny St. & Cincinnati St.	None	All Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 207, 208, 209, 210 and 211, 1993. Councillor Gilmer asked for consent to vote on these five transportation proposals together. Consent was given. PROPOSAL NO. 207, 1993. The proposal amends the Code authorizing a traffic signal for the main entrance of North Willow Mall on West 86th Street (2370 W) (District 3). PROPOSAL NO. 208, 1993. The proposal amends the Code by authorizing (1) a multi-way stop at the intersection of Lafayette Road and Moore Road, and (2) a speed reduction on a segment of Lafayette Road from Wilson Road to County Line Road (District 1). PROPOSAL NO. 209, 1993. The

proposal amends the Code by changing the intersection controls from traffic signals to stop signs at Station Street and 25th Street (District 10). PROPOSAL NO. 210, 1993. The proposal amends the Code by authorizing one-way traffic for the alley between College Avenue and 63rd Place (District 2). PROPOSAL NO. 211, 1993. The proposal amends the Code by authorizing parking restrictions on a segment of Pepperidge Drive from Mitthoefer Road to dead end (District 5). Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 207-211, 1993 on April 14, 1993. By unanimous vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption.

Councillor Ruhmkorff stated that she will vote "no" on Proposal No. 207, 1993, but will vote "yes" on Proposal Nos. 208-211, 1993. She said that she asked for a traffic signal last year in her district and was informed that it will not be completed until 1994. She said that she will not vote "yes" on any more new traffic signals until the ones that have already been approved have been installed.

Proposal No. 207, 1993 was adopted on the following roll call vote; viz:

23 YEAS: *Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Schneider, Shambaugh, Short, Smith, West*
1 NAY: *Ruhmkorff*
5 NOT VOTING: *Black, Brents, Gray, SerVaas, Williams*

Proposal No. 207, 1993 was retitled GENERAL ORDINANCE NO. 45, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 9	86th St & North Willow Mall Entrance (2370 W)	None	Signal

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal Nos. 208-211, 1993 were adopted on the following roll call vote; viz:

24 YEAS: *Beadling, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, Shambaugh, Short, Smith, West*
0 NAYS:
5 NOT VOTING: *Black, Brents, Gray, SerVaas, Williams*

Proposal No. 208, 1993 was retitled GENERAL ORDINANCE NO. 46, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls, and Section 29-136, Alteration of prima facie speed limits.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 1	Lafayette Rd & Moore Rd	Lafayette Rd	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1, Pg. 1	Lafayette Rd & Moore Rd	None	All Way Stop

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

55 mph

Lafayette Road from Moore Road to County Line Road

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

45 mph

Lafayette Road from Moore Road to County Line Road

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 209, 1993 was retitled GENERAL ORDINANCE NO. 47, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

April 26, 1993

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 12	Station St. & 25th St.	None	Signal

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg. 12	Station St. & 25th St.	25th St.	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 210, 1993 was retitled GENERAL ORDINANCE NO. 48, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

NORTHBOUND

An alley, being the first east of College Avenue,
from Laverock Road to 63rd Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 211, 1993 was retitled GENERAL ORDINANCE NO. 49, 1993 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1993

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Pepperidge Drive, on both sides,
from Mitthoefer Road to dead end

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

Councillor Rhodes announced that the Administration and Finance Committee ratified the Cable Franchise Board's appointment of Jayne Gerdeman as the Executive Director of the Cable Communications Agency.

OLD BUSINESS

Councillor Boyd moved that Proposal Nos. 175 and 176, 1993 be stricken. This motion was seconded by Councillor Short and passed by a majority voice vote.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:30 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 26th day of April, 1993.

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


President

ATTEST:


Clerk of the Council

(SEAL)