

**CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, August 1, 1983**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:12 p.m., Monday, August 1, 1983. President SerVaas in the Chair. President Beurt SerVaas opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

PRESENT: Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

CORRECTION OF THE JOURNAL

The Chair called for additions or corrections to the Journal of July 18, 1983. There being no additions or corrections to the Journal, the minutes were approved as distributed.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, August 1, 1983, 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**

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 July 21 and 28, 1983, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 328, 329, 330, 333, and 334, 1983, to be held on Monday, August 1, 1983, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 50, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Four Hundred Thirty-eight Thousand dollars (\$438,000) in the City General Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 51, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Twelve Thousand Five Hundred dollars (\$12,500) in the City General Fund for purposes of the Department of Administration, Finance Division and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 52, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating an additional Twenty-four Thousand Eight Hundred and Ninety-five dollars (\$24,895) in the County General Fund for purposes of the Marion County Recorder and reducing certain other appropriations for that division and the Marion County Auditor.

FISCAL ORDINANCE NO. 53, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Seven Hundred Fifty dollars (\$750) in the County General Fund for purposes of the Lawrence Township Assessor and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 54, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Thirty Thousand dollars (\$30,000) in the County General Fund for purposes of the Marion County Prosecutor's Child Support Division and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 55, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Sixteen Thousand dollars (\$16,000) in the County General Fund for purposes of the Marion County Superior Court, Juvenile Division and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 76, 1983, amending the City-County General Ordinance No. 61, 1982, authorizing changes in the personnel schedule of the Warren Township Trustee.

GENERAL ORDINANCE NO. 77, 1983, amending City-County General Ordinance No. 61, 1982, authorizing changes in the personnel schedule of the Pike Township Trustee.

GENERAL ORDINANCE NO. 78, 1983, fixing the salaries to be paid all elected and appointed officers and employees of the various townships in Marion County, Indiana pursuant to IC 36-3-6-10.

GENERAL ORDINANCE NO. 79, 1983, to amend the "Code of Indianapolis and Marion County, Indiana", by amending Sections 17-63, 17-64, 17-66, 17-67 and 17-68 (b) and (c) which deal with the license review board.

SPECIAL ORDINANCE NO. 10, 1983, authorizing the City of Indianapolis to issue its "Economic Development Bond, (Shepard & Poorman Printing, Co., Inc. Project)" in the principal amount of Four Hundred Thousand dollars (\$400,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 11, 1983, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1983 (WBF Holding Company Project)" in the principal amount of One Hundred Thousand dollars (\$100,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 12, 1983, authorizing the City of Indianapolis to issue its "Economic Development Revenue Note, Series 1983 (South Meridian Associates Project)" in the principal amount of Six Hundred Thousand dollars (\$600,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 13, 1983, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by IC 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 14, 1983, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1983 (CES Associates Project)" in the aggregate principal amount of Eight Hundred Thousand dollars (\$800,000) and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 59, 1983, honoring the Brebeuf High School Girls Tennis Team.

SPECIAL RESOLUTION NO. 60, 1983, recognizing the Indianapolis Open Junior Varsity Hockey Club.

SPECIAL RESOLUTION NO. 61, 1983, naming Thursday, July 21, 1983, as "Lena Horne Day".

SPECIAL RESOLUTION NO. 62, 1983, rendering advice to the Hospital Authority of Marion County regarding financing in the principal amount of up to approximately Seventy-one Million Three Hundred Thousand dollars (\$71,300,000) for St. Vincent Hospital and Health Care Center, Inc.

SPECIAL RESOLUTION NO. 63, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds of up to approximately One Million dollars (\$1,000,000).

SPECIAL RESOLUTION NO. 64, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds of up to approximately Nine Hundred Thirty-four Thousand dollars (\$934,000).

SPECIAL RESOLUTION NO. 65, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds of up to approximately Six Million Five Hundred Thousand dollars (\$6,500,000).

SPECIAL RESOLUTION NO. 66, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development Bonds of up to approximately Four Hundred Thousand dollars (\$400,000).

Respectfully submitted,

s/William H. Hudnut, III
Mayor

President SerVaas announced that the Honorable William H. Hudnut, III and Harry E. Eakin, Auditor, would be offering the annual City and County Budget messages. President SerVaas presented the digest for the budget, which reads as follows: "A Proposal for a FISCAL ORDINANCE adopting the City-County Annual Budget for 1984, appropriating an amount necessary to defray expenses for the operation of every facet of government of the Consolidated City of Indianapolis and of Marion County, for the calendar and fiscal year beginning January 1, 1984, and ending December 31, 1984, establishing the method of financing such expenses by allocating anticipated revenues and expenses, and establishing salaries, wages, and compensation rates and limitations with respect to certain employees of the City and County.

Following is the 1984 Budget Message as presented to the City-County Council by the Honorable William H. Hudnut, III, Mayor of the City of Indianapolis:

"Mr. President, Mr. Majority Leader, Mr. Minority Leader, Members of the City-County Council, Ladies and Gentlemen, it is an annual duty of the Mayor to present to the City-County Council a budget message accompanied by a general overview of the conditions of the City.

You have heard me say on previous occasions that things are tight in City Hall. Financing City services has become increasingly difficult in the past few years due to recession-induced revenue shortfalls, escalating expenditures and reductions in federal and state aid. It has been increasingly hard to make ends meet. The Parks Department's employee roster, for example, has shrunk from 600 to 397 persons in the past eight years and DOT has dropped from 750 to 430 since 1974. As we contemplate the 1984 budget, we will see that little has changed. Parts of the budget are higher than you might expect, but the most important day-to-day functions of local government -- notably police and fire protection -- continue to exist on relatively meager diets.

During the last session of the State's General Assembly, an opportunity to provide local government with additional needed financial flexibility -- more options, more sources of revenue, something other than increasing property taxes and looking for loopholes in the property tax control program, this opportunity

slipped away! Consequently, we find ourselves in a similar position as a year ago -- trying to deliver the services, pay the people, protect the public and promote economic growth and development and job opportunities with an ever-shrinking dollar.

Our budget proposal for 1984 calls for a spending level of \$301,822,615. This budget is balanced, this budget is funded. Property tax rates will increase about two percent (2%), from \$4.39 to \$4.48. Actually, we are down one-half cent in City operations, the increase coming from the sinking funds where we are financing 29 neighborhood drainage projects. The assessed valuation used in building this City budget, the same assessed valuation used by the County, is based on the Official Abstract that was filed in April (\$3.876 billion), and the levy in this budget is up by 3.8 percent, the statewide average.

If we compare the 1984 proposal to current 1983 spending levels, the increase is only 6.7 percent; but if you back out the figures for items that are double-budgeted, like the Central Garage and redevelopment projects, the increase from the revised 1983 budget to 1984 is 1.3 percent, far less than the rate of inflation and less than the 3.8 percent natural growth figure being used this year by the State. Last year at this time, the budget proposal I submitted was in the neighborhood of \$266 million.

Practically all of the \$36 million extra for 1984 (some 13.5 percent) involves one-time federal grants for economic development projects and increases for public safety, primarily in the police and fire pensions area. Federal grant monies for economic development projects and job creation account for more than three-quarters of the increase.

As always, our first and most important concern and priority is funding for public safety. Once again, we have put all of our General Revenue Sharing dollars there. We contemplate no lay-offs and no reduction of service. We are also proud that through the outstanding leadership of our Director of Public Safety Richard Blankenbaker and Chief of Police Joseph McAtee, we have more police on the streets today than we had six years ago even though our authorized strength has decreased. But, do not be misled -- the picture is not terribly bright.

For instance, we are forced to pay rapidly increasing police and fire pension costs which will rise, next year alone, by some 7.5 to 8.5 percent. Yet, the state is only allowing us to increase our property tax revenues by 3.8 percent! That means that once again this year we must subsidize our pension costs with operating funds, which in turn limits our authorized strength. Our problem between

now and 1990 will only continue to grow. Our unfunded liability in police and fire pension right now, looking out to 1990, is \$90 million! And, I can see no relief in sight until the State acts. It's too bad that the state sometimes seems to pay more attention to beer baron legislation than it does to paying for police and fire protection.

Citizens have had their fill of crime and disorder. People are fed up with daily assaults on their property, their dignity, and their safety. Taxpayers want more police protection. We still have one of the lowest crime rates in the country, one that is substantially below the rate I inherited in 1976, but that is of little solace to those people in our City who have been victims of crime, or who know of people who have been. Neighborhood after neighborhood has requested additional police protection because residents do not feel safe, but management reforms can only go so far. Sooner or later the financial nut has to be cracked.

The cries for additional monies from places, other than the property tax, are not limited to Indianapolis or to only a few cities in our State. They are not limited to Republicans or Democrats. The problem is state-wide, and it is getting larger year-by-year, compounding annually. Yet, no one seems to want to make the tough decisions.

Certainly, all of us can be and are proud of the relatively low tax rate we pay in this State. Residents of Indiana and Indianapolis traditionally have been among the least-taxed people in the country, as the accompanying chart demonstrates. As you can see, we continue to perform quite well. And that is a record-all of us want to preserve -- but we must not short-change public safety in the process.

A second priority -- in addition to public safety -- reflected in the budget we are submitting for your consideration this evening, has to do with job development, neighborhood revitalization and downtown growth.

I think we can all be proud that Indianapolis has weathered the now-ending recession better than many cities. While the state as a whole has suffered from an unemployment rate higher than the national average (sometimes a lot higher), Indianapolis has continued to be somewhat below the state-wide average. Not that many people have not suffered the pain and agony of unemployment, but rather that we have less ground to make up now that things are turning around.

The continued promotion of economic growth and diversification that will create more jobs in the private sector and make us more competitive as a City must continue to be a high priority item for us. It requires a continuation of the

public-private sector partnership for which Indianapolis is now internationally recognized. It requires support for initiatives we have undertaken to use local, state and public monies to help put together packages that in the long run are saving hundreds and hundreds of jobs at the International Harvester plant on Brookville Road or the Chrysler plant on the corner of Shadeland and 30th, and elsewhere. I would like to take a minute to thank the state officials that have made these accomplishments possible.

It also necessitates on-going substantial support for the Indianapolis Project, an initiative designed to harness the talents of local government with the local Chamber of Commerce to do a better job of business retention, expansion and attraction. One of our roles in government in making all this work is to provide the basic services within the context of which the free enterprise system can flourish, our job is to build and repair the infrastructure, our job is to plant the seed money that often leverages private investment, our job is to encourage a quality of life that is conducive to investment and growth.

(Parenthetically, I want to say a word about the funding of poor relief in Marion County, even though that budget does not fall under my jurisdiction as Mayor. In saying this, I want to underscore the responsibility I feel the government has for providing human services for needy people. Government must be especially concerned about those who live in the dawn, the shadows, and the twilight of life. But that concern must be prudent, and fiscally responsible. So in the area of poor relief, we find ourselves in an intollerable situation where the State has mandated certain expenditures upon us, but not given us any mechanism to raise the funds necessary to do the job short of local bond issues. The problem cannot be solved entirely by the Mayor or the City-County Council, or the Auditor or any one of the Township Trustees. Only the State can do it. Consequently, I would hope that we could work together, as the Executive and Legislative branches of local government, with the Greater Indianapolis Progress Committee, to make some proposals to the General Assembly that might bring about a permanent solution to this very vexing problem.)

In the past year or so, Indianapolis received an All-American City award from the National Municipal League. The Wall Street Journal labeled us the "star of the snowbelt." The Chicago Tribune called us a "bullet train" of progress in the Midwest. We are growing. We are changing. We are building. We are progressing. We are better off than a lot of cities, much better than average when it comes to such things as per capita tax and debt burden. Our image is changing.

Mayor Coleman Young of Detroit may talk about his city being in the "rust belt," but here in Indianapolis, we choose to talk about change and opportunity

and challenge and response, about growing towards greatness, about progress in the past and vision for the future, about being enthusiastic and competitive and proud, about revitalization and about a high quality of life. We can talk about these things because we are achieving them as we affirm government's partnership with business and labor and neighborhood associations and community-based organizations and small business and the like to build a better City.

You on the City-County Council have a difficult job ahead of you to make this budget fit in 1984. It was not easy on our side or the County, and won't be easy on your side. There will be some give and take, I am sure. But I pledge to you that the Administration will work closely with you over the next six or seven weeks as you do the public's work, and I am confident that the end product will be a 1984 budget that will serve well the citizens of this great City and County.

Thank you."

Comments from County Auditor Harry E. Eakin: "Mr. President and Ladies and Gentlemen of the Council:

You have before you the recommended budget for 1984 to operate the Marion County agencies. This is the fifth time that I have had the privilege to present you with the budget, and it seems to me each year it gets harder to fund. This year is no exception.

In putting together this budget we have tried to achieve three objectives:

1. We have attempted to keep our expenditures within our revenues to present you a balanced budget. As you know, for the past several years our revenues have been short of expenditures, and we cannot continue to operate in that manner. We are attempting to hold the 1984 budget to a zero increase and hope that our revenues will meet those expenditures.
2. We will attempt to reduce our accounts payable at the end of our 1984 fiscal year so that the County will not be in a deficit position on our annual statement. As you know, we have switched from a cash accounting basis to an accrual accounting basis, and we must reduce that deficit.
3. We have attempted to maintain a balance in the salaries with the private/public/City/State employees and so forth. While allowing up to a 5% increase in salaries, the agency must maintain a zero increase in total budget. That means that not all employees will receive the maximum increase.

As stated above, we have asked each agency to hold their 1984 budget to the same total amount as their 1983 budget. In almost every case this has been done. There are only a few exceptions.

We are asking you to approve three excessive levies:

1. As you are aware, we have a tremendous problem funding the medical care for the indigent, and we are again asking that you approve a 4.6 million dollar request for the State to allow us to raise that as an excessive levy. This is certainly not within the list of reasons for excessive levies; however, we must bring this problem to the forefront and make the State aware of the problem which they have helped to create. I have my doubts that this will pass the State Board of Tax Commissioners and as a result, we will be back to ask for approval of a bond issue to fund this problem.
2. As we have a contractual agreement with the F.O.P., we are requesting that you approve a \$700,000 excessive levy for the Marion County Sheriff's Department. This will be use to finance the automobile fleet, the same as you have approved for the Indianapolis Police Department. Without this levy, there will certainly have to be a cut-back in services within that department.
3. We are asking you to approve an excessive levy for \$1,700,000 as a one-time levy to make up lost revenues as a result of reassessment appeals. We are asking this to help pay for Residents in State Institutions for which we are responsible for and increasing at an alarming rate. These charges are running well over two million dollars each year, plus we have a backlog of approximately two million dollars for past years' unpaid claims.

Exclusive of these excessive levies, the budget is approximately \$116,000,000, which is the same as it was in the last year. Even though we will receive a 3.8% increase in our property tax levy, our other miscellaneous revenues will actually decrease. As a result, we will be putting a larger percentage of dependence on the property tax, and in my opinion this is a bad situation. The largest drop in revenues will be in investment or interest earned. This is, of course, viewed with mixed emotions as the Reagan Administration's policies are working to bring inflation under control; however, it does affect our income. In addition, with the State's delaying property tax replacement payments to the County and all other units of government in Marion County asking for advances, our loss of income will offset any increase in tax revenues.

In my opinion the County will be able to fund this budget and will be able to maintain the same level of services that it has in the past. However, we cannot continue to operate long with this situation. We are eliminating maintenance items.

We will not be able to maintain our level of supplies to operate effectively, so it seems that the State must find alternative methods of funding or stop mandating that we provide more services without means of funding those services.

Even though we have had a tough time putting this budget together, I don't envy your position as you start your deliberations. It is going to be a tough year. The Auditor's Office stands ready to assist you in any way we can.

Good Luck!"

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

INTRODUCTION OF GUESTS

Councillor Brinkman introduced Dr. Robert Kirch and acknowledged his students from I.U.P.U.I. studying local government. Councillor Gilmer introduced David McKinney who was present regarding rezoning matters. Councillor Strader introduced the President of the Grandville Co-op. He also introduced City-County Council Candidate Gary Davis. Councillor Cottingham introduced Wayne Township Trustee Gene Stofer and Wayne Township Fire Chief Dick Lamb.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 354, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,000,000 for the Division of Employment and Training to fund the Summer CETA Program"; and the President referred it to the Administration Committee.

PROPOSAL NO. 355, 1983. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$18,284 for the Marion County Coroner's Office to continue normal operations and adjust the personnel schedule"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 356, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of East Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 357, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on a portion of Michigan Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 358, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of 34th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 359, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of McCrea Street"; and the President referred it to the Transportation Committee

PROPOSAL NOS. 360-371, 1983. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "REZONING ORDINANCES certified from the Metropolitan Development Commission on July 21, 1983". Councillor Nickell requested that Proposal No. 365, 1983, be held in Council for a public hearing on August 22, 1983. Council consent was given. Proposal Nos. 360-364, 366-371, 1983, were adopted by consent of the Council, retitled REZONING ORDINANCE NOS. 105-115, 1983, and read as follows:

**REZONING ORDINANCE NO. 105, 1983 83-Z-70 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

5650 WEST 56TH STREET, INDIANAPOLIS

Robert K. Kleinops and David C. McKinney request rezoning of 96.65 acres, being in A-2 district, to D-4 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 106, 1983 83-Z-71 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

5801 LAFAYETTE ROAD, INDIANAPOLIS

Robert K. Kleinops and David C. McKinney request rezoning of 54.17 acres, being in A-2 district, to D-6 II classification, to provide for multi-family development.

**REZONING ORDINANCE NO. 107, 1983 83-Z-72 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

5601 LAFAYETTE ROAD, INDIANAPOLIS

Robert K. Kleinops and David C. McKinney request rezoning of 18.39 acres, being in A-2 district, to C-3 classification, to provide for neighborhood retail sales use.

**REZONING ORDINANCE NO. 108, 1983 83-Z-73 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

5701 LAFAYETTE ROAD, INDIANAPOLIS

Robert K. Kleinops and David C. McKinney request rezoning of 15.75 acres, being in A-2 district, to C-1 classification, to provide for development of retirement housing, day nursery and offices.

**REZONING ORDINANCE NO. 109, 1983 83-Z-108 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18**

839 SOUTH LYNHURST DRIVE, INDIANAPOLIS

EFB Development Company, by John W. Van Buskirk, requests rezoning of 0.90 acre, being in D-4 district, to C-5 classification, to provide for construction of a drug store and related retail uses as well as additional off-street parking.

**REZONING ORDINANCE NO. 110, 1983 83-Z-111 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

4930 WEST 34TH STREET, INDIANAPOLIS

Eagledale Baptist Church, by Benjamin L. Spurlock, Jr., requests rezoning of 0.50 acre, being in D-4 district, to SU-1 classification, to provide for church use.

**REZONING ORDINANCE NO. 111, 1983 83-Z-113 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22**

540 EAST COURT STREET, INDIANAPOLIS

American Fletcher National Bank, by Bill DeWitt, requests rezoning of 0.40 acre, being in I-3-U district, to CBD-2/RC classification, to provide for upgrading of an employee parking lot for existing bank.

**REZONING ORDINANCE NO. 112, 1983 83-Z-114 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20**

4225 SOUTH EAST STREET, INDIANAPOLIS

Bi-Rite Oil Co., Inc., by Jay Reed, requests rezoning of 0.87 acre, being in D-3 district, to C-3 classification, to conform zoning of existing service station presently on variance.

**REZONING ORDINANCE NO. 113, 1983 83-Z-118 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 23**

2202 EAST TROY AVENUE, INDIANAPOLIS

Paul Hieb, by F. Robert Lively, requests rezoning of 0.40 acre, being in D-5 district, to C-5 classification, to provide for an auto sales business and body shop with spray booth in existing buildings as well as a tire sales business in the building to be constructed.

**REZONING ORDINANCE NO. 114, 1983 83-Z-131 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18**

5401 WEST WASHINGTON STREET, INDIANAPOLIS

Wayne Township, by Harold E. Stofer, Trustee, by D. William Cramer, requests rezoning of 2.00 acres, being in A C-5 district, to SU-9 classification, to provide for a fire station and Township government offices.

**REZONING ORDINANCE NO. 115, 1983 83-Z-136 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7**

1510 BROAD RIPPLE AVENUE, INDIANAPOLIS

Indianapolis-Marion County Public Library, by Walter E. Wolf, Jr., requests rezoning of 1.98 acres, being in PK-1 district, to SU-37 classification, to provide for a new branch library.

PROPOSAL NO. 372, 1983. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE for the 1984 Annual Budget"; and the President referred it to various Committees.

PROPOSAL NO. 373, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE tentatively approving a lease of the Central Maintenance Garage after improvements are constructed by the Indianapolis-Marion County Building Authority and providing a public hearing on such lease with notice"; and the President referred it to the Administration Committee.

SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 328, 1983. This proposal appropriates \$4,604,000 received from the supplemental Community Development Block Grant for the Community Development Administration. Councillor Durnil reported that the Metropolitan

Development Committee recommended passage by a vote of 4-0 on July 27, 1983. The President called for public testimony at 7:43 p.m. Councillor Durnil moved, seconded by Councillor Rader, for adoption. Proposal No. 328, 1983, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

1 NAY: *Schneider*

1 NOT VOTING: *Dowden*

Proposal No. 328, 1983, was retitled FISCAL ORDINANCE NO. 56, 1983, reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 56, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Four Million Six Hundred Four Thousand Dollars (\$4,604,000) in the Community Services Program Fund for purposes of the Department of Metropolitan Development, Community Development Administration and reducing the unappropriated and unencumbered balance in the Community Services Program 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 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds received from the supplemental Community Development Block Grant contained in the "Emergency Jobs Bill".

SECTION 2. The sum of Four Million Six Hundred Four Thousand Dollars (\$4,604,000) 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:

DEPT. OF METRO. DEVELOPMENT	COMMUNITY SERVICES
COMMUNITY DEVELOPMENT ADMIN.	PROGRAM FUND
3. Other Services & Charges	<u>\$4,604,000</u>
Total Increase	<u>\$4,604,000</u>

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

DEPT. OF METRO. DEVELOPMENT	COMMUNITY SERVICES
COMMUNITY DEVELOPMENT ADMIN.	PROGRAM FUND
Unappropriated and Unencumbered	
Community Services Program Fund	<u>\$4,604,000</u>
Total Reduction	<u>\$4,604,000</u>

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

PROPOSAL NO. 329, 1983. This proposal appropriates \$2,304,000 of Community Development Funds for the Economic and Housing Development Division for various projects. Councillor Durnil outlined the following projects: Emergency Home Repair \$74,000; Gleaner's Food Bank \$200,000; Grandville Cooperative Housing Rehabilitation \$150,000; International Harvester Economic Development Loan \$860,000; Neighborhood Commercial Rehabilitation; Paint Up/Fix Up \$300,000; School No. 33 Rehabilitation \$70,000; Public Housing Renovation \$100,000; Small Business Revolving Fund \$50,000; Support for 503 Certified Development Corporation \$100,000; Weatherization Program \$300,000. The Metropolitan Development Committee recommended passage by a vote of 5-1 on July 27, 1983. The President called for public testimony at 7:46 p.m. There being no one present to testify, Councillor Durnil moved, seconded by Councillor Tintera, for adoption. Proposal No. 329, 1983, was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Campbell, Cottingham, Coughenour, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, McGrath, Miller, Page, Rader, Rhodes, Sawyers, SerVaas, Stewart, Strader, Tintera, Vollmer, West

3 NAYS: Clark, Journey, Schneider

3 NOT VOTING: Brinkman, Dowden, Nickell

Proposal No. 329, 1983, was retitled FISCAL ORDINANCE NO. 57, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 57, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Two Million Three Hundred Four Thousand Dollars (\$2,304,000) in the Redevelopment General Fund for purposes of the Department of Metropolitan Development, Economic and Housing Development Division and reducing the unappropriated and unencumbered balance in the Redevelopment 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 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing community development funds for various projects to create new jobs, retain existing business, to improve neighborhoods, to increase housing opportunities for low and moderate income persons and to increase job training.

SECTION 2. The sum of Two Million Three Hundred Four Thousand Dollars (\$2,304,000) 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:

DEPT. OF METROPOLITAN DEVELOPMENT
 ECONOMIC & HOUSING DEVELOPMENT REDEVELOPMENT GENERAL FUND

1. Personal Services	\$45,000
3. Other Services & Charges	<u>\$2,259,000</u>
Total Increase	<u>\$2,304,000</u>

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

DEPT. OF METROPOLITAN DEVELOPMENT
 ECONOMIC & HOUSING DEVELOPMENT REDEVELOPMENT GENERAL FUND

Unappropriated and Unencumbered	
Redevelopment General Fund	<u>\$2,304,000</u>
Total Reduction	<u>\$2,304,000</u>

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

PROPOSAL NO. 330, 1983. This proposal appropriates \$867,300 for various divisions of the Department of Parks and Recreation for essential improvements. Councillor Holmes reported that the Parks and Recreation Committee recommended to amend and pass Proposal No. 330, 1983, by a vote of 6-0 on July 28, 1983. Councillor Holmes moved, seconded by Councillor Tintera, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 330, 1983, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 330, 1983, Committee Recommendations".

Councillor Holmes

Consent was given on the amendment. Councillor Holmes reported that the appropriation is broken down as follows: \$55,000 Small Business Administration (Federal Jobs Bill); \$250,000 Land & Water Conservation Fund (federal); \$27,300 Computer Grant (federal); \$44,000 Library - Broad Ripple (expense refund); \$60,000 Lilly Endowment (Velodrome program); \$2,000 Lilly Endowment (Admin. — N.R.P.A. program); \$225,000 Community Development (Federal Jobs Bill); \$204,000 Bond Issue (refund to DPR from direct budget expenditures). Director Art Strong gave the Council further explanation of Proposal No. 330, 1983. President SerVaas called for public testimony at 8:00 p.m. After comments from John McLane, Councillor Holmes moved, seconded by Councillor Howard, for adoption. Proposal No. 330, 1983, As Amended, was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Campbell, Clark, Cottingham, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, SerVaas, Stewart, Tintera, Vollmer, West

4 NAYS: Dowden, Durnil, Schneider, Strader
 2 NOT VOTING: Brinkman, Coughenour

Proposal No. 330, 1983, As Amended, was retitled FISCAL ORDINANCE NO. 58, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 58, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Eight Hundred Sixty-seven Thousand Three Hundred Dollars (\$867,300) in the Park General Fund for purposes of the Department of Parks and Recreation Divisions and reducing the unappropriated and unencumbered balance in the Park 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 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for essential improvements, replacement of equipment, adequate supplies, additional summer recreation opportunities for inner-city youth, year-round recreation opportunities and improvements of the golf courses.

SECTION 2. The sum of Eight Hundred Sixty-seven Thousand Three Hundred Dollars (\$867,300) 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 PARKS & RECREATION</u>		
<u>Administration Division</u>		PARK GENERAL FUND
3. Other Services & Charges		\$470,000
4. Capital Outlay		30,300
		<u>\$500,300</u>
<u>Eagle Creek Division</u>		
2. Supplies		20,000
3. Other Services & Charges		60,000
4. Capital Outlay		15,000
		<u>\$95,000</u>
<u>Community Recreation Division</u>		
1. Personal Services		10,000
3. Other Services & Charges		72,000
		<u>\$82,000</u>
<u>Parks Management Division</u>		
3. Other Services & Charges		88,050
4. Capital Outlay		11,950
		<u>\$100,000</u>
<u>Sports and Special Facilities Division</u>		
2. Supplies		31,000
3. Other Services & Charges		40,000
4. Capital Outlay		19,000
		<u>\$90,000</u>
TOTAL INCREASES		<u>\$867,300</u>

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

<u>DEPT. OF PARKS & RECREATION</u>		
		PARK GENERAL FUND
Unappropriated and Unencumbered		
Park General Fund		\$867,300
Total Reduction		<u>\$867,300</u>

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

PROPOSAL NO. 333, 1983. This proposal appropriates \$900,000 for the Flood Control Division for the construction of a storm sewer for the underpass at Sherman and Southeastern Avenue. Councillor Coughenour reported that the Public Works Committee recommended to pass the proposal by a vote of 6-0 on July 25, 1983. Councillor Coughenour moved to amend Proposal No. 333, 1983, seconded by Councillor Tintera, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 333, 1983, by adding the following language to the end of SECTION 1.:

"and the engineering design, land acquisition, and construction of a stormwater system in the area bounded by Minnesota Streets, Union Belt Railroad, and the Conrail Tracks."

Councillor Coughenour

Council consent was given on the amendment. The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Tintera, for adoption. Proposal No. 333, 1983, As Amended, was adopted on the following roll call vote; viz:

29 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

Proposal No. 333, 1983, As Amended, was retitled FISCAL ORDINANCE NO. 59, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Nine Hundred Thousand Dollars (\$900,000) in the Flood Control General Fund for purposes of the Department of Public Works, Flood Control Division and reducing the unappropriated and unencumbered balance in the Flood Control 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 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for

the purposes of providing funds for the construction of a storm sewer for the Sherman and Southeastern Avenues underpass and the engineering design, land acquisition, and construction of a stormwater system in the area bounded by Minnesota Streets, Union Belt Railroad, and the Conrail Tracks.

SECTION 2. The sum of Nine Hundred Thousand Dollars (\$900,000) 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:

DEPARTMENT OF PUBLIC WORKS	
FLOOD CONTROL DIVISION	
3. Other Services & Charges	FLOOD CONTROL GENERAL FUND
	<u>\$900,000</u>
Total Increase	<u>\$900,000</u>

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

DEPARTMENT OF PUBLIC WORKS	
FLOOD CONTROL DIVISION	
Unappropriated and Unencumbered	FLOOD CONTROL GENERAL FUND
Flood Control General Fund	<u>\$900,000</u>
Total Reduction	<u>\$900,000</u>

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

PROPOSAL NO. 334, 1983. This proposal appropriates \$700,000 of Community Development Funds for the Department of Transportation for the repair and replacement of streets and curbs. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 6-0 on July 20, 1983. The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Vollmer, for adoption. Proposal No. 334, 1983, was adopted on the following roll call vote; viz:

28 YEAS: *Borst, Boyd, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

1 NOT VOTING: *Brinkman*

Proposal No. 334, 1983, was retitled FISCAL ORDINANCE NO. 60, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Seven Hundred Thousand Dollars (\$700,000) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

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 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing Community Development Funds for the repair and replacement of streets and curbs.

SECTION 2. The sum of Seven Hundred Thousand Dollars (\$700,000) 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:

DEPARTMENT OF TRANSPORTATION	TRANSPORTATION GENERAL FUND
3. Other Services & Charges	<u>\$700,000</u>
Total Increase	<u>\$700,000</u>

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

DEPARTMENT OF TRANSPORTATION	TRANSPORTATION GENERAL FUND
Unappropriated and Unencumbered	
Transportation General Fund	<u>\$700,000</u>
Total Reduction	<u>\$700,000</u>

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

SPECIAL ORDERS, UNFINISHED BUSINESS
SPECIAL ORDERS, FINAL ADOPTION

PROPOSAL NO. 8, 1983. This proposal amends the Code requiring the agenda to be available at least two business days prior to the Council meeting. Councillor Miller reported that the Rules and Policy Committee recommended to amend and pass Proposal No. 8, 1983, by a vote of 6-1 on July 25, 1983. Councillor Miller moved, seconded by Councillor Boyd, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 8, 1983, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 8, 1983, Committee Recommendations".

Councillor Miller

Council consent was given on the amendment. Councillor Miller moved, seconded by Councillor Boyd, for adoption. Proposal No. 8, 1983, As Amended, was adopted on the following roll call vote; viz:

20 YEAS: Borst, Boyd, Campbell, Dowden, Durnil, Hawkins, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Sawyers, Schneider, SerVaas, Strader, Tintera, Vollmer, West

6 NAYS: Cottingham, Durnil, Holmes, Rader, Rhodes, Stewart
3 NOT VOTING: Brinkman, Clark, Coughenour

Proposal No. 8, 1983, As Amended, was retitled GENERAL ORDINANCE NO. 80, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 2-44, Calendar and agenda.

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

SECTION 1. Article I, Chapter 2, of the "Code of Indianapolis and Marion County, Indiana", Section 2-44, is hereby amended by deleting the crosshatched portions and adding the underlined portions to read as follows:

Sec. 2-44. Calendar and agenda.

The clerk shall ~~with~~ prepare a calendar of pending matters and ~~the~~ agendas for each meeting of the city-county council, as follows:

- (1) (a) A current calendar shall be available to members of the city-county council within three (3) days after each meeting indicating the status of each matter pending before the city-county council.
- (b) (1) The Council Staff will prepare in advance of each Council meeting a Preliminary Agenda.
- (2) The Preliminary Agenda shall list all items of business on which action is anticipated as of the date of such Preliminary Agenda, but might not contain:
 - a. economic development bond proposals not yet heard by the economic development committee;
 - b. rezoning proposals not then certified by the administrator of zoning;
 - c. resolutions not then submitted to the clerk; and
 - d. items which may be added to the agenda by suspension of the rules or other lawful procedures.
- (3) The Preliminary Agenda shall be available to the public by 2:00 p.m. on the last business day prior to the date of the meeting and shall be mailed to the councillors requesting the same that afternoon.
- (2) (c) The Clerk shall prepare an agenda prior to each meeting of the city-county council showing all matters eligible for consideration under each order of business.

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

PROPOSAL NO. 75, 1983. This proposal amends the Code by limiting the length of time certain individuals appointed by the Council may hold office. Councillor Cottingham reported that the Rules and Policy Committee recommended to strike Proposal No. 75, 1983, by a vote of 6-0 on July 25, 1983. He moved, seconded by Councillor Tintera, to strike Proposal No. 75, 1983. Consent was given.

[Clerk's Note: The City-County Council devoted a minute of silence in respect to Robert A. Eicholtz, who has entered into final rest after serving dedicatedly on the Metropolitan Development Commission for many years. Sympathies were extended to the Eicholtz family.]

PROPOSAL NO. 78, 1983. This proposal amends the Code, Chapter 8½ governing cable television. Councillor Dowden reported that the Administration Committee recommended passage by a vote of 2-0-2 on July 26, 1983. This proposal would assure that the City has not awarded exclusive franchises. Councillor Dowden moved, seconded by Councillor Rhodes, for adoption. Proposal No. 78, 1983, was adopted on the following roll call vote; viz:

20 YEAS: *Boyd, Campbell, Clark, Cottingham, Coughenour, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Stewart, Tintera, Vollmer, West*

7 NAYS: *Dowden, Durnil, Jones, Page, Sawyers, Schneider, Strader*

2 NOT VOTING: *Borst, Brinkman*

Proposal No. 78, 1983, was retitled GENERAL ORDINANCE NO. 81, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 81, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by amending Chapter 8½, governing cable television by providing new procedures for making and considering applications for cable television franchises and changing the amounts required for the construction bond and security fund.

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

SECTION 1. Division 2 of Article II of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is hereby repealed and in place thereof is added a new Division 2 to read as follows:

DIVISION 2. PROCEDURAL STEPS

Sec. 8½-21. Application for franchise.

- (a) Each application for a franchise to construct, operate or maintain any cable television systems in this City shall be filed with the Cable Franchise Board and shall contain or be accompanied by the following:
 - (1) The name, address and telephone number of the applicant;
 - (2) A detailed statement of the corporate or other business entity organization of the applicant, including but not limited to, the following, and to whatever extent required by the City:
 - i. The names, residence and business addresses of all officers, directors, and associates of the applicant.
 - ii. The names, residence and business addresses all officers, persons and entities having, controlling or being entitled to have or control five percent or more of the ownership of the applicant and the respective ownership share of each such person or entity.

- iii. The names and addresses of any parent or subsidiary of the applicant, namely, any other business entity owning or controlling applicant in whole or in part or owned or controlled in whole or in part by the applicant, and a statement describing the nature of any such parent or subsidiary business entity, including but not limited to, cable television systems owned or controlled by the applicant, its parent and subsidiary, and the area served thereby.
 - iv. A detailed description of all previous experience of the applicant in providing cable television system service and in related or similar fields.
 - v. A detailed and complete financial statement of the applicant, prepared by a certified public accountant, for the fiscal year next preceding the date of the application hereunder, or a letter or other acceptable evidence in writing from a recognized lending institution or funding source, addressed to both the applicant and the Board, setting forth a clear statement of its intent as a lending institution or funding source to provide whatever capital shall be required by the applicant to construct and operate the proposed system in the City, or a statement from a certified public accountant, certifying that the applicant has available sufficient free net and uncommitted cash resources to construct and operate the proposed system in the City, or other acceptable evidence in writing that the applicant is financially capable of constructing and operating the proposed system.
 - vi. A statement identifying, by place and date, any other cable television franchises awarded to the applicant, its parent or subsidiary; the status of such franchise(s) with respect to completion thereof; the total cost of completion of such system(s); and the amount of applicants and its parents or subsidiaries resources committed to the completion thereof.
- (3) A detailed description of the proposed plan of operation of the applicant which shall include, but not be limited to, the following:
- i. A detailed map indicating all areas proposed to be served, and a proposed time schedule for the installation of all equipment necessary to become operational throughout the entire area to be served.
 - ii. A statement or schedule setting forth all proposed classifications of rates and charges to be made against subscribers and all rates and charges as to each of the classifications, including installation charges and service charges.
 - iii. A detailed, informative and referenced statement describing the actual equipment and operational standards proposed by the applicant. In no event shall such operational and performance standards be less than those contained in Title 47, Subpart K (Section 76.601 et seq.) rules and regulations of the federal communications commission, adopted February 2, 1972, and as now or hereafter amended.
 - iv. A copy of the form of any agreement, undertaking or other instrument proposed to be entered into between the applicant and any subscriber.
 - v. A detailed statement setting forth in its entirety any and all agreements and undertakings, whether formal or informal, written, oral or implied, existing or proposed to exist between the applicant and any person, firm or corporation, which materially relate or pertain to or depend upon the application and the granting of the franchise.
- (4) A copy of any agreement covering the franchise area, if existing between the applicant and any public utility subject to regulation by the Indiana Public Service Commission providing for use of any facilities of the public utility, including but not limited to poles, lines or conduits.
- (5) Any other details, statements, information or references pertinent to the subject matter of such application which shall be required or requested by the Board, or by any provision of any other ordinance.
- (6) An application fee in the amount of One Hundred Dollars (\$100.00) plus two and one-half cent (\$.025) for every home or apartment, hotel or motel unit in the geographic area covered by the application, provided that in no event shall the application fee be less than One Hundred Five Dollars (\$105.00).

Sec. 8½-22. Report on application and notification of operators.

Upon receipt of any application for a franchise, the Board may refer the same to the Director of the Cable Communications Office, who shall prepare a report and recommendation as to the desirability of granting a franchise, whether in the form proposed in the application or otherwise, and shall cause the same to be filed with the Board within sixty (60) days. The Director shall also send written notification of the receipt of such application to all cable television system operators which have a franchise governed by this Chapter.

Sec. 8½-23. Hearing on application.

- (a) Within forty (40) days of receipt of the application, or receipt of the report and recommendations of the Director of the Cable Communications Office, if applicable, or at any time upon its own motion, the Board shall hold a public hearing to take evidence and hear argument on whether it is feasible or desirable to grant a cable television franchise, either in the form proposed in an application, or as proposed by the Board, or otherwise, and if so, the nature and extent thereof. The Board shall base its determination hereunder on the criteria contained in Section 8½-24. At least twenty (20) days notice of such hearing shall be given by publication in a daily newspaper of general circulation within the City, and if the Board deems appropriate, in one or more trade journals of the cable television industry.
- (b) At the time set for such hearing, or an adjournment thereof, the Board shall proceed to hear all written protests and other submissions and to hear evidence and argument from any interested persons in addition to any applicants or potential applicants. A record shall be kept of such hearing and the evidence presented therein.
- (c) The Board may propound regulations to govern the conduct of such hearings so as to allow for the orderly and efficient presentation of evidence and argument, and to prevent unnecessary duplication or delay.

Sec. 8½-24. Factors governing board's determination.

In making any determination hereunder, the Board shall base its decision on the following factors:

- (a) the quality of the service proposed,
- (b) the rates to the subscriber,
- (c) the income and expense to the City,
- (d) the effect upon concentration of ownership of communications media in the area,
- (e) the needs of other users of the public right-of-way,
- (f) the effect on the ability of existing franchises to perform their obligations under their franchise contracts,
- (g) the experience, character, background and financial responsibility of any applicant, its management and owners,
- (h) the technical and performance quality of equipment,
- (i) the demonstrated willingness and ability of any applicant to meet construction and physical requirements and to abide by policies and limitations imposed by law or franchise agreements, and
- (j) any other considerations deemed pertinent by the Board to its take of safeguarding the public health, safety and welfare, and facilitating and encouraging the orderly and responsible development of cable television system which will provide the people of the City with cable television service which is versatile, reliable, and efficient, and which is available at affordable rates. The Board shall make its determinations based on the record with a written statement of its findings and conclusions, and the reasons therefore.

Sec. 8½-25. Board action on application.

Within forty-five (45) days after the conclusion of the hearing provided for in Section 8½-23, the Board shall either approve the application, deny the application, or determine that further hearings and/or competitive bidding are required.

- (a) If the Board shall determine after hearing that the application should be denied, such determination shall be final, subject to the appeal provisions of Section 8½-27.
- (b) If the Board shall determine after hearing that the application should be granted, it shall adopt by resolution a proposed form of franchise contract, to which the appli-

cant shall indicate its agreement in writing within fifteen (15) days. If the applicant does not agree in writing to the terms of such form of a franchise contract within fifteen (15) days, then its application shall be deemed denied.

- (c) If the Board shall determine after hearing that further consideration should be given to the granting of a franchise, either as proposed in an application, or otherwise, and/or that competitive bidding is required, then the Board may order such additional hearing or hearings as it deems appropriate, and may also solicit competitive bids from other prospective applicants. The advertisement for bids and the time table for their submission shall be subject to such terms and conditions as the Board may establish, except as herein specified.
- i. The deadline for submission of bids shall be no more than ninety (90) days after the Board's determination.
 - ii. All applications shall be in the form and contain the information specified in Section 8½-21.
 - iii. Sufficient copies of applications shall be required so that three (3) copies of each application may be made available for public inspection and copying at least sixty (60) days before the date of any public hearings thereon.
 - iv. The Board may refer such applications to the Director of the Cable Communication Office, who shall, within sixty (60) days after the end of the period for receipt of such applications, issue a report with an evaluation and recommendation on all such applications, and shall file the same with the Board.
 - v. Within forty (40) days of the end of the period for receiving such applications, or the receipt of the report of the Director of the Cable Communications Office, if applicable, the Board shall, after giving notice as specified in Section 8½-23, conduct public hearings concerning any or all of such applications. At the time set for such hearing, or any adjournment thereof, the Board shall proceed to hear all written protests and other submissions and to hear evidence and argument from any interested persons. The Board may propound regulations to govern the conduct of such hearings so as to allow for the orderly and efficient presentation of evidence and argument, and to prevent unnecessary duplication or delay. A record shall be kept of such hearings and the evidence presented therein. Any record of a previous hearing on the same or similar subjects may be considered by the Board as part of the evidence.
 - vi. Within forty-five (45) days after the close of such hearings, the Board shall issue its findings and conclusions, with a written statement of reasons therefor, determining whether to grant a franchise contract to any one or more applicants. In making its determination hereunder, the Board shall base its decision on the criteria contained in Section 8½-24.
 - vii. If it determines that one or more franchise contracts should be granted, the Board shall pass a resolution stating the terms of any proposed franchise contracts and the identity of the proposed grantee or grantees. The proposed grantee or grantees will then have fifteen (15) days within which to signify in writing their willingness to accept the terms of such franchise contract. If any grantee fails to so signify within fifteen (15) days its application shall be deemed denied.
- (d) The grantee or grantees shall pay the City a sum of money sufficient to reimburse it for all of its publication and other expenses incurred in connection with the granting of a franchise pursuant to the terms of this ordinance.
- (e) No provision of this ordinance shall be construed to require the City to grant any franchise contract.

Sec. 8½-26. Additional powers of the board.

- (a) The Board may also at any time, on its own motion, conduct public hearings to determine whether it is feasible or desirable to grant any cable television franchise, and if so the nature and extent thereof. The Board shall base its determination on the criteria contained in Section 8½-24. Such hearings shall be advertised and conducted in accordance with the provisions of Section 8½-23.
- (b) The Board in its discretion may consolidate any proceeding to determine the nature and extent of a potential franchise to be considered under Section 8½-23 with the competitive bidding process under Section 8½-24.

- (c) The Board may upon a showing of good cause extend any of the time limits imposed in Sections 8½-21 through 8½-25.

Sec. 8½-27. Council review of rejections.

Any person whose application is rejected by the Board may, within ten (10) days of such action, petition the Council for a review of that decision by filing notice thereof and a copy of the resolution of the Board with the Clerk of the Council. If the Council determines that the rejection is improper under this ordinance, it may by resolution direct the Board to reconsider its action. In making its determination hereunder the Council shall consider as evidence, and give due weight to, the findings and conclusions of the Board, and shall consider the criteria contained in Section 8½-24.

Sec. 8½-28. Council action on recommended contracts.

Within thirty (30) days of the Board's resolution recommending a franchise and contract, the Council shall introduce an ordinance approving and confirming the contract as accepted in the Board's resolution. The Council shall act upon the ordinance within sixty (60) days of its introduction, except that such time may be extended by the Council for good cause. The Council may:

- (a) Adopt the ordinance, subject to the veto of the Mayor, in which case the Director of the Cable Communications Office will be directed to execute the franchise contract, and ten (10) days after the Mayor signs the ordinance, the franchise contract holder shall pay an award fee by certified check payable to the City, in an amount equal to Twenty Cents (\$.20) for every home or apartment, hotel or motel unit in the geographic area covered by the franchise, provided that such award fee shall not be less than Five Hundred Dollars (\$500.00), or;
- (b) Defeat the ordinance, in which case the application shall be denied, or;
- (c) By resolution direct the Board to consider certain modifications or amendments to the franchise contract, in which case the Board shall reconsider the application;
- (d) In making its determination hereunder, or under Section 8½-27, the Council shall review the record of proceedings before the Board, and it may, in its discretion, consider new evidence;
- (e) In making its determination hereunder, the Council shall consider as evidence, and give due weight to, the findings and conclusions of the Board, and shall consider the criteria contained in Section 8½-24.
- (f) Under no circumstances shall the Council by ordinance approve or confirm any franchise contract unless the precise language has been accepted by the Board prior to the Council's action.

Secs. 8½-29 - 8½-50. Reserved.

SECTION 2. Section 81 of Article V of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is hereby repealed and in place thereof is added a new Section 81 to read as follows:

Sec. 8½-81. Construction bond.

- (a) Within thirty (30) days after the effective date of the franchise, the franchise holder shall obtain and maintain at its cost and expense, and file with the Corporation Counsel of the City of Indianapolis, a corporate surety bond issue by a company licensed to do surety business in the State of Indiana and deemed acceptable by the Corporation Counsel, in an amount deemed reasonable by the Board to guarantee the timely construction and full activation of the cable television system, considering the nature and extent of the system and the estimated costs of construction. The bond shall include, but not be limited to, the following conditions: there shall be recoverable by the City, jointly and severally, from the principal and surety, any and all damages, cost or expense suffered by the City resulting from failure of the franchise holder to satisfactorily complete and fully activate the cable television system within the construction schedule described in the franchise application and approved in the franchise contract.

- (b) Any extension to the prescribed construction schedule must be authorized by the Council. Such extension shall be authorized only when the Council finds that such extension is necessary and appropriate due to causes beyond the control of the franchise holder.
- (c) The construction bond shall be terminated only after the Council finds that the franchise holder has satisfactorily completed and fully activated the cable television system in the franchise area.
- (d) The rights reserved to the City with respect to the construction bond are in addition to all other rights of the City, whether reserved by this franchise or authorized by law, and no action, preceding exercise or failure to exercise any right with respect to such construction bond shall affect any other right the City may have.

SECTION 3. Section 82 of Article V of Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", is hereby repealed and in place thereof is added a new Section 82 to read as follows:

Sec. 8½-82. Security fund.

- (a) Within thirty (30) days after the execution of the franchise contract, the operator shall deposit with the City of Indianapolis the sum of Fifty Thousand Dollars (\$50,000.00) or such other lesser amount as the Board deems reasonable considering the nature and extent of the system and the estimated costs of construction, as security for the faithful performance of all the provisions of the Franchise contract and the payment by the operator of any claims, liens and taxes due the City which may arise by reason of construction, operation or maintenance of the system. Any monies deposited pursuant to this Section shall be placed by the Controller in an interest bearing demand account at a bank or local savings institution agreeable to both parties. Interest on such account will accrue to the benefit of the operator upon completion and activation of the system as required in the franchise contract, and the security fund may be reduced by the Board thereafter to an amount which the Board deems reasonable, considering the nature and extent of any anticipated liabilities, which amount shall be maintained during the period of the franchise contract.
- (b) Within ten (10) days after the notice to it that any amount has been withdrawn from the security fund deposited pursuant to subsection (a), the operator shall pay to, or deposit with, the City of Indianapolis a sum of money or securities sufficient to restore such security fund to the full amount required by subsection (a). If the franchise holder fails to pay to the city any compensation within the time fixed herein; or fails, after ten (10) days notice, to pay to the city or county any taxes due and unpaid; or fails to repay to the city, within such ten (10) days, any damages, costs or expenses which the city shall be compelled to pay by reason of any act or default of the operator in connection with the franchise contract; or fails, after three (3) days' notice of such failure by the mayor or his designee to comply with any provision of this chapter, and the mayor or his designee to comply with any provision of this chapter, and the mayor or his designee reasonably determines that such failure can be remedied by an expenditure from the security fund, the mayor or his designee may immediately withdraw the amount thereof, with interest and any penalties, from the security fund. Upon such withdrawal, the mayor or his designee shall notify the operator of the amount and date thereof.
- (c) The security fund deposited pursuant to this section shall become the property of the city in the event that the franchising contract is cancelled by reason of the default of the operator. The operator, however, shall be entitled to the return of such security fund, or portion thereof, as remains on deposit with the city at the expiration of the term of the franchise contract; provided, that there is then no outstanding default on the part of the operator.
- (d) The rights reserved to the city with respect to the security fund are in addition to all other rights of the city, whether reserved by this chapter, the franchise or contract or authorized by law; and no action, proceeding or exercise of a right with respect to such security fund shall affect any other right the city may have.

SECTION 4. (a) The expressed or implied repeal or amendment by this ordinance of 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 ordi-

nance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance has not been adopted. (b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. 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 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: Councillor West moved, seconded by Councillor Gilmer, to advance Proposal No. 352, 1983, on the agenda. Consent was given.]

PROPOSAL NO. 352, 1983. This proposal approves the use of approximately \$2,000,000 of federal funds available from the U.S. Marshals Service Cooperative Agreement Program for the construction of the sixth and seventh floors of the addition to the Marion County Jail. Councillor West reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 5-0 on July 21, 1983. He explained that in April, the Council received word that \$2,000,000 in Federal Funds would be available and could be used to build 160 additional cells in case the County needed them and, in the meantime, rent out the cells to the State who is in need of the cells to house misdemeanants. The rental would amount to approximately \$.018 on the tax rate and would cost \$.06 for the bond issue. The net effect would return \$.012 of assessed value to the County General Fund for about \$450,000 a year. The Committee approved this use of the \$2,000,000 over other types of repairs and renovations that can not be made by the bond issue. Councillor Gilmer moved, seconded by Councillor Miller, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 352, 1983, be amended as follows:

In Section 2, add the additional sentence as follows:

"provided, however, that such addition shall not be authorized until and unless: 1) the State of Indiana appropriates sufficient funds and; 2) the State enters into a contractual agreement to use the designated capacity for at least ten years".

Councillor Gilmer

Council consent was given on the amendment. Mr. John Ryan, Corporation Counsel, added that with the approval of the \$2,000,000 for the additional two floors at the Marion County Jail, the County must guarantee to house 80 Federal prisoners for the next 15 years. He said that he had been in contact with State officials who were enthused with this rental concept. Councillor Tintera voiced opposition and moved to send Proposal No. 352, 1983, back to the Public Safety and Criminal Justice Committee, seconded by Councillor Clark. Councillor West said that the Council must have an answer for the Federal Government. He continued that this issue has been reviewed by the Committee three times. If the Council sends Proposal No. 352, 1983, back to Committee, the Council would be in jeopardy of losing the \$2,000,000. There was discussion as to how much the tax rate would increase with this addition in comparison to the amount that would be paid back to the County. Councillor Gilmer called for the previous question on Councillor Tintera's motion. The motion failed on the following roll call vote; viz:

10 YEAS: *Borst, Clark, Dowden, Durnil, Gilmer, Miller, Page, Sawyers, Stewart, Tintera*

18 NAYS: *Boyd, Brinkman, Campbell, Cottingham, Coughenour, Hawkins, Holmes, Howard, Journey, McGrath, Nickell, Rader, Rhodes, Schneider, SerVaas, Strader, Vollmer, West*

1 NOT VOTING: *Jones*

Councillor Holmes spoke in favor of the addition, stating that there would be room for the criminals that are now being put back on the streets. Councillor Vollmer concurred. Councillor West reiterated that this proposal would benefit both the State and the County. He added even though the State may not care what happens to Marion County, but the State does care what happens to itself. Councillor West also pointed out that the old jail structure may some day need updating and this addition could house the prisoners during the renovation period. Councillor Brinkman called for the question, seconded by Councillor Hawkins. Proposal No. 352, 1983, As Amended, was adopted on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Nickell, Rader, Rhodes, Schneider, SerVaas, Strader, Vollmer, West*

7 NAYS: *Clark, Durnil, Miller, Page, Sawyers, Stewart, Tintera*

2 NOT VOTING: *Dowden, Jones*

Proposal No. 352, 1983, As Amended, was retitled GENERAL RESOLUTION NO. 7, 1983, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 7, 1983

A GENERAL RESOLUTION approving the use of approximately \$2,000,000 of federal funds available from the U.S. Marshals Service Cooperative Agreement Program for the construction of the sixth and seventh floors of the addition to the Marion County Jail.

WHEREAS, the U.S. Marshals Service Cooperative Agreement Program has approximately \$2,000,000 allocated for distribution to local governments for renovation, expansion or construction of local detention facilities; and

WHEREAS, the Cooperative Agreement Program requires local governments to utilize the funds solely for construction, expansion or renovation of detention facilities; and

WHEREAS, a local government which receives funds from the Cooperative Agreement Program must agree to provide eighty prisoner spaces for federal prisoners for fifteen years after receipt of funds; and

WHEREAS, Marion County is eligible to receive funds from the Cooperative Agreement Program; and

WHEREAS, Marion County is currently financing the construction of a five story addition to the existing jail facilities; and

WHEREAS, if Marion County receives funds from the Cooperative Agreement Program, the funds may be used to defray approximately half the costs of adding a sixth and seventh floor to the jail expansion project; and

WHEREAS, the addition of a sixth and seventh floor to the jail expansion project would provide space for one hundred sixty prisoners; and

WHEREAS, Marion County would be responsible for financing the construction costs of the sixth and seventh floors of the jail expansion to the extent the construction costs exceed the funds available from the Cooperative Agreement Program; now, therefore:

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

SECTION 1. If Marion County receives a \$2,000,000 grant from the U.S. Marshals Service Cooperative Agreement Program, the City-County Council of Indianapolis and Marion County agrees to provide eighty prisoner spaces for federal prisoners in the Marion County Jail for fifteen years as a requirement for participation in the U.S. Marshals Service Cooperative Agreement Program.

SECTION 2. The City-County Council of Indianapolis and Marion County approves the use of Cooperative Agreement Program funds for the construction of the sixth and seventh floors of the addition to the Marion County Jail and authorizes compliance with the requirements of the Program. Provided, however, that such addition shall not be authorized until and unless 1) the State of Indiana appropriates sufficient funds and 2) the State enters into a contractual agreement to use the designated capacity for at least ten years.

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

PROPOSAL NO. 299, 1983. This proposal transfers \$6,000 for the Air Pollution Control Division to purchase a computer. Councillor Coughenour reported that the Public Works Committee recommended passage by a vote of 6-0 on July 25, 1983. Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 299, 1983, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Vollmer*

NO NAYS

3 NOT VOTING: *Clark, Tintera, West*

Proposal No. 299, 1983, was retitled FISCAL ORDINANCE NO. 61, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 61, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Six Thousand dollars (\$6,000) in the Consolidated County Fund for purposes of the Department of Public Works, Air Pollution Control Division and reducing certain other appropriations for that division.

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 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the purchase of a computer which will be used by various sections within the division.

SECTION 2. The sum of Six Thousand dollars (\$6,000) 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 appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS		
AIR POLLUTION CONTROL DIVISION		CONSOLIDATED COUNTY FUND
4. Capital Outlay		<u>\$6,000</u>
Total Increase		<u>\$6,000</u>

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

DEPARTMENT OF PUBLIC WORKS		
AIR POLLUTION CONTROL DIVISION		CONSOLIDATED COUNTY FUND
2. Supplies		<u>\$1,000</u>
3. Other Services & Charges		<u>5,000</u>
Total Reduction		<u>\$6,000</u>

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

[Clerk's Note: Consent was given to discuss and vote on Proposal Nos. 300, 301, and 302, 1983, by one vote.]

PROPOSAL NO. 300, 1983. This proposal changes parking controls on a portion of Haverford Avenue. PROPOSAL NO. 301, 1983. This proposal prohibits stopping, standing and parking on a portion of New Jersey Street. PROPOSAL NO. 302, 1983. This proposal prohibits stopping, standing and parking on a portion of Louisiana Street. Councillor Schneider reported that Proposal Nos. 300, 301, and 302, 1983, were recommended by the Transportation Committee by votes of 6-0 on July 20, 1983. He moved, seconded by Councillor Borst, for adoption. Proposal Nos. 300, 301, and 302, 1983, were adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, West*

NO NAYS

2 NOT VOTING: *Clark, Vollmer*

Proposal Nos. 300, 301, and 302, 1983, were retitled GENERAL ORDINANCE NOS. 82-84, 1983, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-270, Parking prohibited during specified hours on certain days.

**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", Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the deletion of the following to wit:

**ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS AND HOLIDAYS
From 7:00 a.m. to 4:00 p.m.**

Haverford Avenue, on both sides, from Broad Ripple Avenue to Sixty-first Street;

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the addition of the following to wit:

**ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS AND HOLIDAYS
From 7:00 A.M. to 4:00 P.M.**

Haverford Avenue, on both sides, from Broad Ripple Avenue to a point 597 feet south of the south curblin of Broad Ripple Avenue.

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

CITY-COUNTY GENERAL ORDINANCE NO. 83, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated location on certain days and hours.

**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 29-271, Stopping, standing and parking prohibited at designated location on certain days and hours, be and is hereby amended by the addition of the following:

**ON ANY DAY EXCEPT SUNDAY
From 6:00 A.M. to 9:00 A.M.**

New Jersey Street, on the west side, from Louisiana Street to the first alley south.

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

CITY-COUNTY GENERAL ORDINANCE NO. 84, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated location on certain days and hours.

**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 29-271, Stopping, standing and parking prohibited at designated location on certain days and hours, be and the same is hereby amended by the addition of the following:

**ON ANY DAY EXCEPT SUNDAY
From 6:00 A.M. to 9:00 A.M.**

Louisiana Street, on the south side, from Ogden Street to New Jersey Street.

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

PROPOSAL NO. 312, 1983. This proposal transfers \$600 for the Pike Township Assessor to purchase additional supplies. Councillor Tintera reported that the County and Townships Committee recommended passage by a vote of 3-0 on July 26, 1983. Councillor Tintera moved, seconded by Councillor Gilmer, for adoption. Proposal No. 312, 1983, was adopted on the following roll call vote; viz:

24 YEAS: Borst, Boyd, Brinkman, Campbell, Cottingham, Dowden, Durnil, Gilmer, Hawkins, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

NO NAYS

5 NOT VOTING: Clark, Coughenour, Holmes, Howard, Rhodes

Proposal No. 312, 1983, was retitled FISCAL ORDINANCE NO. 62, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 62, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Six Hundred Dollars (\$600) in the County General Fund for purposes of the Pike Township Assessor and reducing certain other appropriations for that division.

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 2.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of purchasing additional supplies.

SECTION 2. The sum of Six Hundred Dollars (\$600) 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:

PIKE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
2. Supplies	<u>\$600</u>
Total Increase	<u>\$600</u>

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

PIKE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$600</u>
Total Reduction	<u>\$600</u>

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

PROPOSAL NO. 313, 1983. This proposal authorizes changes in the personnel schedule of the Perry Township Assessor. Councillor Tintera reported that the County and Townships Committee recommended passage by a vote of 4-1 on July 26, 1983. He stated that this transfer of funds is needed in temporary help. Councillor Tintera moved, seconded by Councillor Coughenour, for adoption. Proposal No. 313, 1983, was adopted on the following roll call vote; viz:

- 25 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Holmes, Jones, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*
- 2 NAYS: *Howard, Page*
- 2 NOT VOTING: *Clark, Hawkins*

Proposal No. 313, 1983, was retitled FISCAL ORDINANCE NO. 63, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) authorizing changes in the personnel compensation schedule (Section 2.03) of the Perry Township Assessor's Office.

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

SECTION 1. Section 2.03 (d) of City-County Fiscal Ordinance No. 65, 1982, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(d)(5) PERRY TOWNSHIP ASSESSOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	28,573	28,573
Chief Deputy	1	21,430	21,430
Deputies	5½	14,013	63,580 <u>64,590</u>
Clerks	2	10,734	21,469
Temporary Help	<u> </u>		17,159 <u>16,169</u>
TOTAL	9½		152,231

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

PROPOSAL NO. 316, 1983. This proposal transfers \$30,000 for the Marion County Home and Julietta Convalescent Center for additional pharmacy medications needed for the remainder of 1983. Councillor Tintera reported that the County and Townships Committee recommended passage by a vote of 5-0-1 on July 26, 1983. Councillor Tintera moved, seconded by Councillor Coughenour, for adoption. Proposal No. 316, 1983, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, West*

NO NAYS

2 NOT VOTING: *Clark, Vollmer*

Proposal No. 316, 1983, was retitled FISCAL ORDINANCE NO. 64, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Thirty Thousand Dollars (\$30,000) in the County General Fund for purposes of the Marion County Home and Julietta Convalescent Center and reducing certain other appropriations for that division.

**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 2.03 (c)(3) of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of funding additional pharmacy medications needed for the remainder of 1983.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) 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 appropriation is hereby approved:

MARION COUNTY HOME & JULIETTA CONVALESCENT CENTER		COUNTY GENERAL HOME
2. Supplies		<u>\$30,000</u>
Total Increase		<u>\$30,000</u>

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

MARION COUNTY HOME & JULIETTA CONVALESCENT CENTER		COUNTY GENERAL HOME
1. Personal Services		<u>\$30,000</u>
Total Reductions		<u>\$30,000</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts underlined as follows:

MARION COUNTY HOME AND JULIETTA CONVALESCENT CENTER

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Superintendent	1	36,080	36,080
Executive Secretary	1	12,711	12,711
Administrative Assistant	1	18,924	18,924
Social Service Director	1	19,181	19,181
Head Payroll Clerk	1	13,348	13,348
Assistant Payroll Clerk	1	11,080	11,080
Business Mgr/Public Rel.	1	16,134	16,134
Head Bookkeeper	1	11,645	11,645
Asst. Bookkeeper	1	9,855	9,855
Asst. Bookkeeper	1	10,119	10,119
Senior Stenographer	1	10,084	10,084
Inventory Clerk & Accounts Payable	1	9,744	9,744
Rehab. Counselor	1	12,311	12,311
Head PBX Operator & Receptionist	1	9,855	9,855
PBX Operators - Day, Evenings & Nights	5	8,835	44,175
Chaplain	1	21,108	21,108
Chief Physician	1	55,344	55,344
On-Call Physician/URC	1	6,929	6,929
On-Call Physician	1	4,293	4,293
Extern Type II	6	2,634	15,804
Dentist	1	4,702	4,702
Podiatrist	1	4,114	4,114
Audiologist	1	4,091	4,091
Clinic Coordinator - RN	1	17,802	17,802
Medical Secretary	1	12,428	12,428
Medical Records Tech.	1	12,194	12,194
Clinic Lab/X-ray Tech.	1	11,766	11,766

Clinic Ward Clerk	1	8,793	8,793
Medical Clerk-Typist	1	10,441	10,441
Registered Physical Therapist	1	24,676	24,676
Certified Physical Therapist	1	15,927	15,927
Physical Therapy Aide - Type II	1	9,866	9,866
Physical Therapy Aide - Type I	1	10,779	10,779
Registered Occupational Therapist	1	20,379	20,379
Certified Occupational Therapist	1	14,028	14,028
Occup. Therapy Aide	1	9,217	9,217
Director of Nursing - RN	1	29,318	29,318
Nursing Secretary	1	11,978	11,978
Professional Supervisor - RN-Day	1	22,277	22,277
Facility Supervisor - RN-Day	6	17,581	105,486
Facility Supervisor - Rn - Evenings, Nights, Relief	14	18,230	255,220
Head Nurse Supervisor - LPN - Day	11	12,799	140,789
Head Nurse Supervisor - LPN - Evenings, Nights, Relief	20	13,315	266,300
Medicare/Medicaid Ward Clerk	2	9,133	18,266
Beautician	1	10,811	10,811
Barber	1	2,600	2,600
Registered Pharmacist	1	24,969	24,969
Asst. Reg. Pharmacist	2	20,650	41,300
Pharmacy Technicians	2	9,382	18,764
Rotation Worker Rehab C	1	600	600
Registered Dietician	1	22,566	22,566
Supr. Food Prep/Dietary Relief	1	17,321	17,321
Food Service Super.	1	12,484	12,484
Dietary Secretary	1	9,292	9,292
Butcher	1	9,292	9,292
Executive Housekeeper/Laundry Manager	1	25,712	25,712
Central Supply Storekeeper	1	10,027	10,027
Janitor Supervisor	1	10,402	10,402
Rehab Bldg. Janitor Super.	1	10,045	10,045
Head Storeroom Clerk	1	11,369	11,369
Stockroom Handler	1	8,958	8,958
Asst. Laundry Supervisor	1	11,163	11,163
Maintenance Director	1	22,234	22,234
Director of Security	1	13,679	13,679
Security Officer - Deputy/Asst.	1	12,089	12,089
Deputy Sheriff - Day	3	11,395	34,185
Deputy Sheriff - Evenings & Nights	6	11,872	71,232
Activities/Volunteer Coord.	1	13,872	13,872
Recreation Director	1	11,674	11,674
Asst. Recreation Dir.	1	9,305	9,305
Recreation Staff Worker	1	2,463	2,463
Recreation Therapist	3	8,793	26,379
Ward Attendants - Day, Evenings & Nights	120	8,525	1,023,000 993,000

Medical Tech. -			
Aide/Orderlies	6	11,352	68,112
Ward Secretaries	5	8,525	42,625
Snack Shop Supervisor	1	8,229	8,229
Snack Shop Worker	1	8,229	8,229
Dining Room Servers	14	8,229	115,206
Cook - Days	3	9,133	27,399
Cooks - Special Diets,			
Evenings & Nights	4	9,333	37,332
Hospital Ward Dietary Aides	5	8,525	42,625
Nourishment Aide	1	8,229	8,229
Dish Room Helpers, Porters			
Utility Help	11	8,229	90,519
Janitor/Maid - Day			
Evenings & Nights	26	8,525	221,650
Washman	2	9,177	18,354
Wearing Apparel Ironer,			
Checker	12	8,229	98,748
Carpenter	1	13,865	13,865
Plumber & Steam Fitter	1	15,187	15,187
Electrician	1	15,187	15,187
Electrician	1	15,187	15,187
Maintenance - Evenings			
& Nights	4	13,896	55,584
Painter	1	13,063	13,063
Yard & Ground Keeper	1	7,845	7,845
Maintenance Helper	1	13,222	13,222
Maintenance Helper	1	12,880	12,880
Head Fireman	1	14,848	14,848
Mechanic	1	13,832	13,832
Board Per Diem			2,100
Vacancy Factor	—		(546,327)
TOTAL	365	3,321,078	3,291,078

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 317, 1983. This proposal authorizes changes in the personnel schedule of the Decatur Township Trustee. Councillor Tintera reported that the County and Townships Committee recommended passage by a vote of 5-1-1 on July 26, 1983. He explained that the Decatur Township Trustee will add a part-time clerk; the position is supported through additional revenues from the Small Claims Court. Councillor Tintera moved, seconded by Councillor Cottingham, for adoption. Proposal No. 317, 1983, was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Brinkman, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Jones, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*
 3 NAYS: *Campbell, Howard, Page*
 1 NOT VOTING: *Clark*

Proposal No. 317, 1983, was retitled GENERAL ORDINANCE NO. 85, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 1983

A GENERAL ORDINANCE amending City-County General Ordinance No. 61, 1982, authorizing changes in the personnel schedule of the Decatur Township Trustee.

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

SECTION 1. Section 3 of City-County General Ordinance No. 61, 1982, be and is hereby amended by deleting the crosshatched portions and adding the underline amounts as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	9,600	9,600
Township Clerk	1	8,750	8,750
Advisory Board Members	3	650	1,950
Court Clerk (Chief)	1	11,900	11,900
Court Clerk	1	11,300	11,300
Judge for Small Claims Court	1	14,300	14,300
Court Clerk (part-time)	1 <u>1</u>	0 <u>5,000</u>	0 <u>2,500</u>

POOR RELIEF PERSONNEL

Supr. & Invest. (part-time)	1	9,300	9,300
Investigator (part-time)	<u>1</u>	1,000	<u>1,000</u>
TOTAL	1 <u>11</u>		68,100 <u>70,600</u>

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

PROPOSAL NO. 332, 1983. This proposal ratifies the hiring of Miss Sally Walls for the position of Coordinator of the Community Corrections Program. Miss Walls declined the position, therefore, Councillor West moved, seconded by Councillor Borst, to Strike Proposal No. 332, 1983. Council consent was given.

[Clerk's Note: Council consent was given to take one vote on Proposal Nos. 335, 338, 340, 341, and 342, 1983. All of the aforementioned proposals are routine transportation ordinances. Council consent was given.]

PROPOSAL NO. 335, 1983, changes intersection controls at Claredon Road and 42nd Street. PROPOSAL NO. 338, 1983, changes intersection controls at Dean Road and 82nd Street. PROPOSAL NO. 340, 1983, changes intersection controls at Guilford Avenue and 86th Street. PROPOSAL NO. 341, 1983, changes intersection controls at Depauw Boulevard and Michigan Road. PROPOSAL NO. 342, 1983, changes intersection controls at Michigan Road and Township Line Road. Councillor Schneider reported that all of the aforementioned proposals were

recommended by the Transportation Committee by unanimous votes on July 20, 1983. He moved, seconded by Councillor McGrath, for adoption. Proposal Nos. 335, 338, 340, 341, and 342, 1983, were adopted on the following roll call vote; viz:

29 YEAS: Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

NO NAYS

Proposal Nos. 335, 338, 340, 341, and 342, 1983, were retitled GENERAL ORDINANCE NOS. 86-90, 1983, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 1983

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", 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>
17, Pg. 3	Clarendon Rd. & W. 42nd St.	Clarendon Rd.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
17, Pg. 3	Clarendon Rd. & 42nd St.		4-WAY STOP

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

CITY-COUNTY GENERAL ORDINANCE NO. 87, 1983

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", 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>
5, Pg. 2	Dean Rd. & E. 82nd St.	E. 82nd St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
5, Pg. 2	Dean Rd. & 82nd St.		SIGNAL

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

CITY-COUNTY GENERAL ORDINANCE NO. 88, 1983

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", 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>
4, Pg. 3	Guilford Ave. & E. 86th St.	E. 86th St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
4, Pg. 3	Guilford Ave. & E. 86th St.		SIGNAL

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

CITY-COUNTY GENERAL ORDINANCE NO. 89, 1983

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", 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>
2, Pg. 2	Depaw Blvd. & Michigan Rd.		SIGNAL

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

CITY-COUNTY GENERAL ORDINANCE NO. 90, 1983

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", 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>
10, Pg. 5	Michigan Rd. & Township Line Rd.	Michigan Rd.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
10, Pg. 5	Michigan Rd. & Township Line Rd.		SIGNAL

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

PROPOSAL NO. 336, 1983. This proposal changes parking controls on portions of Indiana Avenue. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 4-0 on July 20, 1983. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposal No. 336, 1983, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Vollmer, West*

NO NAYS

2 NOT VOTING: *Clark, Tintera*

Proposal No. 336, 1983, was retitled GENERAL ORDINANCE NO. 91, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 91, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing, and parking prohibited at designated locations on certain days and hours.

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", Chapter 29, Section 29-271, Stopping, standing, and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 6:00 AM to 9:00 AM

Indiana Avenue, on the southwest side, from North Street to Capitol Avenue;

From 3:00 PM to 6:00 PM

Indiana Avenue, on the northeast side, from Capitol Avenue to North Street;

From 4:00 PM to 6:00 PM

Indiana Avenue, on both sides, from Illinois Street to Tenth Street;

ON ANY DAY EXCEPT SUNDAY
From 7:00 AM to 9:00 AM

Indiana Avenue, on both sides, from Illinois Street to Tenth Street.

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

Indiana Avenue, on the southwest side, from West Street to Stadium Drive.

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

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 4:00 PM to 6:00 PM

Indiana Avenue, on the northeast side, from North Street to Tenth Street.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", 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:

Indiana Avenue, on the southwest side, from North Street to Tenth Street.

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

PROPOSAL NO. 337, 1983. This proposal changes Colorado Avenue from Washington Street to New York Street as a one-way, northbound and changes intersection controls at Colorado Avenue and Washington Street. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 5-0 on July 20, 1983. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposal No. 337, 1983, was adopted on the following roll call vote; viz:

29 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Fintera, Vollmer, West*
 NO NAYS

Proposal No. 337, 1983, was retitled GENERAL ORDINANCE NO. 92, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 92, 1983

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

Colorado Avenue, from Washington Street to New York Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
26, Pg. 6	Colorado Av. & E. Washington St.	E. Washington St.	STOP

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", 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>
26, Pg. 6	Colorado Av. (NB) & Washington St.	Washington St.	STOP

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

PROPOSAL NO. 339, 1983. This proposal changes preferential streets at the intersection of Boyd and Comer Avenues and Boyd Avenue and Hoefgen Street. The Transportation Committee recommended passage by a vote of 5-0 on July 20, 1983. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposal No. 339, 1983, was adopted on the following roll call vote; viz:

29 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader,*

Tintera, Vollmer, West
NO NAYS

Proposal No. 339, 1983, was retitled GENERAL ORDINANCE NO. 93, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 1983

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", 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>
32, Pg. 3	Boyd Av. & Comer Av.	Comer Av.	STOP
32, Pg. 3	Boyd Av. & Hoefgen St.	Hoefgen St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
32, Pg. 3	Boyd Av. & Comer Av.	Boyd Av.	STOP
32, Pg. 3	Boyd Av. & Hoefgen St.	Boyd Av.	STOP

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

PROPOSAL NO. 351, 1983. This proposal changes parking controls on a portion of Virginia Avenue. Council consent was given to return Proposal No. 351, 1983, back to the Transportation Committee.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:33 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, Indiana, held at its Regular Meeting on the 1st day of August, 1983.

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

ATTEST:

Burt Sewer
President

Donald A. King
Clerk of the City-County Council

(SEAL)