

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

**REGULAR MEETINGS, MONDAY, JUNE 23, 1986**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:00 p.m., on Monday, June 23, 1986, with Councillor SerVaas presiding.

Councillor Richard Clark lead the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Councillor SerVaas requested the members to indicate their presence. The Clerk took the roll call of the Council, which was as follows:

*PRESENT: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

President SerVaas announced that a quorum of twenty-eight members was present.

[Clerk's note: Councillor Nickell was officially excused from the meeting to present a resolution at a banquet; she joined the meeting at a later time.]

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Howard introduced Mr. John Stout who was attending the meeting with other citizens in support of Proposal No. 332, 1986.

Councillor Hawkins introduced Ms. Daisy Benedict, former precinct committeeman for the 8th Ward, 12th Precinct.

### ADOPTION OF THE AGENDA

Consent was given to the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of June 23, 1986, as distributed.

### OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that **REGULAR MEETINGS** of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, June 23, 1986, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President  
City-County Council

June 6, 1986

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, June 12, 1986, a copy of **NOTICE TO TAXPAYERS** of a Public Hearing on Proposal Nos. 160, 285, 289, 290, 293, 295, 296 and 322, 1986, to be held on Monday, June 23, 1986, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

June 9, 1986

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 resolution:

FISCAL ORDINANCE NO. 43, 1986, amends the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Three Hundred Sixty-seven Thousand Two Hundred Ninety Dollars (\$367,290) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 44, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Twenty Thousand Four Hundred Twenty-five Dollars (\$20,425) in the County General Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 45, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Twenty-one Thousand Dollars (\$21,000) in the Reassessment Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the Reassessment Fund.

FISCAL ORDINANCE NO. 46, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Hundred Twenty-nine Thousand Eight Hundred Six Dollars (\$229,806) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 47, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Million Three Hundred Thirty-six Thousand Five Hundred Nineteen Dollars (\$2,336,519) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Flood Control Division, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

FISCAL ORDINANCE NO. 48, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Eight Hundred Sixty-two Thousand Four Hundred Sixty-two Dollars (\$862,462) in the City Cumulative Capital Development Fund for purposes of the Department of Public Works, Office of the Director, and reducing the unappropriated and unencumbered balance in the City Cumulative Capital Development Fund.

GENERAL ORDINANCE NO. 53, 1986, amends the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-136 Alteration of prima facie speed limits.

**GENERAL ORDINANCE NO. 54, 1986, establishes procedures for borrowing from the Indianapolis Local Public Improvement Bond Bank.**

**GENERAL ORDINANCE NO. 55, 1986, establishes the rules and procedures for the preparation of the 1987 Annual Budget for City and County Government.**

**GENERAL RESOLUTION NO. 3, 1986, approving a Confirmatory Resolution of the Board of Public Works of the City of Indianapolis, Indiana and approving the issuance of bonds of the Sanitary District of the City of Indianapolis, in one or more series, in an aggregate principal amount not to exceed Fifty Seven Million Dollars (\$57,000,000).**

**SPECIAL RESOLUTION NO. 59, 1986, honors the John Marshall High School Girls Softball Team.**

**SPECIAL RESOLUTION NO. 60, 1986, honors Emma L. Moore, CPS, 1986 Secretary of the Year.**

**SPECIAL RESOLUTION NO. 61, 1986, in memoriam of Elbert L. Elder.**

**SPECIAL RESOLUTION NO. 62, 1986, honors Ernest Medcalfe, Jr.**

**SPECIAL RESOLUTION NO. 63, 1986, in memoriam of Michael J. Dugan**

**Respectfully submitted,**

**s/William H. Hudnut, III**

## **ADOPTION OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of February 24, 1986. There being no additions or corrections, the minutes were approved as distributed.

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

**PROPOSAL NO. 309, 1986, honors the Warren Central High School Girls Softball Team. Councillor Stewart explained that the resolution was to be presented by Councillor Nickell, co-sponsor, at a banquet honoring the Team. Councillor Stewart moved, seconded by Councillor Borst, for adoption. Proposal No. 309, 1986, was adopted by Unanimous Voice Vote, retitled SPECIAL RESOLUTION NO. 71, 1986, and reads as follows:**

**CITY-COUNTY SPECIAL RESOLUTION NO. 71, 1986**

**A SPECIAL RESOLUTION honoring the Warren Central High School Girls Softball Team.**

**WHEREAS, the Warren Central High School Warren Lady Warriors Softball Team won the 1986 Marion County Girls Softball Championship; and**

**WHEREAS, the Warren Lady Warriors were 1984 County Champions; 1985 Sectional, Regional and State Softball Champions; and had a 1985 season record of 24-3; and**

**WHEREAS, Team members Lisa Sweany, Tonya Eads and Bobbi Morris were named "All County"; now, therefore:**

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

**SECTION 1. The Indianapolis-Marion County City-County Council honors 1986 Warren Lady Warriors team members Kim Dick, Theresa Gramse, Kathy Kirkman, Janie Herrick, Debbie Rigdon, Kim Halley, Rhonda Scott, Lisa Sweany, Jill Goode, Sheila Mahurin, Julie Bennett, Rachael Cantrell, Tiffany Singhurst and Coach Dave Stroud.**

**SECTION 2. The Council further wishes each team member the best of luck in their future endeavors.**

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

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

PROPOSAL NO. 323, 1986, honors Dr. T. J. Jemison. PROPOSAL NO. 324, 1986, honors Dr. T. Oscar Chappelle. PROPOSAL NO. 325, 1986, honors Dr. Melvin B. Girton, Sr. Councillor Howard explained that all three proposals were co-sponsored by Councillors Boyd, Strader, Shaw, Journey, Crowe and Hawkins. Councillor Howard explained that all three resolutions had been presented prior to the Council meeting. Messrs. Jemison, Girton and Chappelle had visited Indianapolis to participate in the National Baptist Congress of Christian Education. Councillor Howard moved, seconded by Councillor Crowe, for adoption. Proposal Nos. 323, 324 and 325, 1986, were adopted by Unanimous Voice Vote, retitled SPECIAL RESOLUTION NOS. 64, 65, and 66, 1986, and read as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 64, 1986**

**A SPECIAL RESOLUTION honoring Dr. T. J. Jemison.**

**WHEREAS, Dr. T. J. Jemison is President of the National Baptist Convention, U.S.A., Inc.; and**

**WHEREAS, Dr. Jemison will be joining with thirty-five thousand (35,000) other Afro-American delegates from across the nation in Indianapolis on June 17, 1986, for the National Baptist Congress of Christian Education; and**

**WHEREAS, Dr. T. J. Jemison is a welcomed and distinguished visitor to our City; now, therefore:**

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

**SECTION 1. The Indianapolis-Marion County City-County Council welcomes and honors Dr. T. J. Jemison.**

**SECTION 2. The Council further commends Dr. T. J. Jemison for his outstanding achievements as President of the National Baptist Convention, U.S.A., Inc.**

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

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

**CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1986**

**A SPECIAL RESOLUTION honoring Dr. T. Oscar Chappelle.**

**WHEREAS, Dr. T. Oscar Chappelle is President of the National Baptist Congress of Christian Education; and**

**WHEREAS, Dr. Chappelle will be visiting the City of Indianapolis on June 17, 1986, to participate in the 1986 National Baptist Congress of Christian Education Convention; and**

**WHEREAS, Dr. Chappelle will be joining thirty-five thousand (35,000) other Afro-Americans from all over the nation to provide a forum of opportunity in Christian education; now, therefore:**

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

**SECTION 1. The Indianapolis-Marion County City-County Council recognizes and honors Dr. T. Oscar Chappelle.**

**SECTION 2. The Council further welcomes Dr. Chappelle and all Afro-American ministers, wives, honored guests and distinguished visitors to the City of Indianapolis.**

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

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

**CITY-COUNTY SPECIAL RESOLUTION NO. 66, 1986**

**A SPECIAL RESOLUTION** honoring Dr. Melvin B. Girton, Sr.

**WHEREAS,** Dr. Melvin B. Girton, Sr. is Chairman/Coordinator of the Entertainment Committee - Indianapolis Baptist Ministers Fellowship; and

**WHEREAS,** Dr. Girton has played an instrumental role in bringing the 81st Annual Session of the National Baptist Congress of Christian Education to the City of Indianapolis on June 17, 1986; and

**WHEREAS** Dr. Girton's fortitude in spearheading the efforts to bring this largest convention of Afro-American Christians to the City of Indianapolis is an outstanding achievement; now, therefore:

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

**SECTION 1.** The Indianapolis-Marion County City-County Council commends Dr. Melvin B. Girton, Sr. for his efforts in bringing to the City of Indianapolis the National Baptist Congress of Christian Education.

**SECTION 2.** The Council would further like to join Dr. Girton in welcoming all Afro-American Ministers, wives, honored guests and distinguished visitors to our fair City.

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

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

PROPOSAL NO. 333, 1986, honors the National Baptist Laymen. Councillor Howard stated that the resolution was presented to the Laymen at the recent National Baptist Congress of Christian Education. Councillor Howard moved, seconded by Councillor Strader, for adoption. Proposal No. 333, 1986, was adopted by Unanimous Voice Vote, retitled SPECIAL RESOLUTION NO. 67, 1986, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1986**

**A SPECIAL RESOLUTION** honoring the National Baptist Laymen.

**WHEREAS,** the National Baptist Laymen will be joining with thirty-five thousand (35,000) other Afro-American delegates from across the nation in Indianapolis on June 17, 1986, for the National Baptist Congress of Christian Education; and

WHEREAS, Laymen are an integral part of every Christian fellowship gathering; and

WHEREAS, the National Baptist Laymen gathered here for the Congress of Christian Education Convention form the backbone of the purpose for the entire gathering; now, therefore:

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

**SECTION 1.** The Indianapolis-Marion County City-County Council honors and recognizes the National Baptist Laymen.

**SECTION 2.** The Council further welcomes the National Baptist Laymen to the City of Indianapolis and wishes each and every visitor a rewarding experience.

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

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

PROPOSAL NO. 366, 1986, honors Dr. Beurt R. SerVaas. Councillor Strader, sponsor, stated that he admired Dr. SerVaas for his fifteen-year dedication to the Higher Education Commission for the State of Indiana. Councillor Strader moved, seconded by Councillor Miller, for adoption. Proposal No. 366, 1986, was adopted by Unanimous Voice Vote, retitled SPECIAL RESOLUTION NO. 68, 1986, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1986**

A SPECIAL RESOLUTION honoring Dr. Beurt R. SerVaas.

WHEREAS, Dr. Beurt SerVaas has been a member of the Higher Education Commission for the State of Indiana for fifteen (15) years; and

WHEREAS, Dr. SerVaas has also served as a member of the Indianapolis-Marion County City-County Council for twenty-three (23) years; and

WHEREAS, recent interpretation of past legislative action has forced Dr. SerVaas to make a choice of which public service he wishes to perform; and

WHEREAS, Dr. SerVaas has made the choice to forego his position on the Higher Education Commission so that he may continue to serve the citizens of Marion County and Indianapolis as President of the City-County Council; now, therefore:

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

**SECTION 1.** The Indianapolis-Marion County City-County Council extends this expression of gratitude to Dr. SerVaas for his choice of public service.

**SECTION 2.** The Council further reaffirms its confidence in, and appreciation for Dr. SerVaas as President of the Indianapolis-Marion County City-County Council.

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

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

PROPOSAL NO. 367, 1986, honors the University of Indianapolis. Councillor McGrath stated that he and Councillor Strader were honoring the University of Indianapolis for their offering college educations to students of the Donnan Junior High School. Students attending the Junior High are from low-income and upper-low-income families. Councillor McGrath moved, seconded by Councillor Strader, for adoption. Proposal No. 367, 1986, was adopted by Unanimous Voice Vote, retitled SPECIAL RESOLUTION NO. 69, 1986, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1986**

**A SPECIAL RESOLUTION honoring the University of Indianapolis.**

**WHEREAS,** the University of Indianapolis, beginning with the class of 1985, will offer free college educations to graduates from Donnan Junior High School; School Number Seventy-two (72) which is located near the University at 1202 East Troy Avenue; and

**WHEREAS,** most of the students enrolled at Donnan Junior High School are from low-income to upper-low-income families; and

**WHEREAS,** lack of financial resources is the primary reason many students do not continue their education through college; now, therefore:

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

**SECTION 1.** The Indianapolis-Marion County City-County Council honors the University of Indianapolis and President Dr. Gene Sease for their community spirited efforts in initiating a college scholarship program for the students of Donnan Junior High School.

**SECTION 2.** The Council further commends the University of Indianapolis for its response to the community in the fulfillment of their motto "Education for Service".

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

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

PROPOSAL NO. 368, 1986, honors Roy Turner. Councillors Williams and Hawkins, co-sponsors, greeted Mr. Turner and guests. Councillor Williams read the resolution and presented a framed copy to Mr. Turner who thanked the Council for being recognized. Ms. Mary Faker expressed appreciation for Mr. Turner's heroic deed of rescuing her from the intruder in her apartment. Councillor Williams moved, seconded by Councillor Hawkins, for adoption. Proposal No. 368, 1986, was adopted by Unanimous Voice Vote, retitled SPECIAL RESOLUTION NO. 70, 1986, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 70, 1986**

**A SPECIAL RESOLUTION honoring Roy Turner for his heroic deed.**

**WHEREAS, Mary Faker is a senior citizen and a resident of the Barton Towers, a home for senior citizens; and,**

**WHEREAS, Mary Faker was alone in her residence in April, 1986 when an intruder knocked on her door, asked for a piece of paper, attacked her and had a rope around her neck choking her to death; and,**

**WHEREAS, Roy Turner heard her screams, went to her doorway and forceably entered and came to her rescue; and,**

**WHEREAS, with this heroic act Roy Turner saved the life of Mary Faker; and,**

**WHEREAS, the intruder was apprehended and is currently in the Marion County Jail awaiting trial; now, therefore:**

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

**SECTION 1.** Roy Turner is hereby commended by this Council on behalf of all the citizens of Marion County, Indiana for his heroic deed which prevented the brutal attack on Mary Faker.

**SECTION 2.** Roy Turner is further commended for his heroic act on behalf of all the senior citizens of Indianapolis and Marion County, Indiana.

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

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

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 334, 1986. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code with regard to the indemnification ordinance, specifying that township assessors are included in the ordinance"; and the President referred it to the Administration Committee.

PROPOSAL NO. 335, 1986. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing amendments to the personnel compensation schedule of the Healthcare Center"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 336, 1986. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,000 for the County Surveyor to attend a "Automated Mapping/Facilities Management Conference"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 337, 1986. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the issuance of bonds of the Indianapolis Redevelopment District, in an aggregated principal amount not to exceed \$23,000,000"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 338, 1986. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$20,000 for the Department of Metropolitan Development, Division of Planning, to fund supply expenses for the printing of various reports and booklets"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 339, 1986. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$20,000 for the Department of Metropolitan Development, City Market Division, to fund utility expenses"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 340, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$107,500 and amending the personnel compensation schedule for the Marion County Sheriff to fund special investigations and purchase equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 341, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing amendments to the personnel compensation schedule of the Forensic Services Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 342, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$47,643 and creating a new personnel schedule for the Forensic Services Agency for partial funding of a pre-trial drug screening program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 343, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$125,000 for the Forensic Services Agency for partial funding of a pre-trial drug screening program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 344, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$99,658 and establishing a new personnel schedule for the Community Corrections Agency to partially fund programs in the Marion County Jail"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 345, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$5,130 and establishing a personnel schedule for the Marion County Superior Court, Juvenile Division, to fund "Project Turnabout" which will be reimbursed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 346, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$5,000 for the Marion County Superior Court, Juvenile Division, for a "Juvenile D.C. Trip" funded by a grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 347, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing amendments to the personnel compensation schedule of the Juvenile Detention Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 348, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$34,800 for the Presiding Judge of the Municipal Court for partial funding of an electronic surveillance program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 349, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$73,321 and amending the personnel compensation schedule for the Prosecutor's Child Support IV-D Agency for the "Electronic Funds Transfer Project" and the purchase of computer equipment which will be 100% reimbursed by the State"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 350, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$9,000 for the Prosecuting Attorney for contractual costs for the Lockup which were originally appropriated as capital expenditures"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 351, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing the creation of a Police Department Special Services Branch petty cash fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 352, 1986. Introduced by Councillors Dowden, Giffin, Nickell, Coughenour, McGrath, Shaw, Holmes and Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by adding a new section regarding the display of matter harmful to minors"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 353, 1986. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$80,000 for the Department of Public Works, Liquid Waste Processing Operations, for the purchase of a gas chromatograph/mass spectrometer to analyze wastewater and sludge for priority and non-priority pollutant organics"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 354, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing parking control regulations for portions of Illinois Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 355, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection control at Post Road and Rawles Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 356, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing loading zones for a portion of Illinois and Meridian Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 357, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls in Eagle Highland Shoppes, Glicks 21st Addition and Highland Trails Subdivision"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 358, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code

by changing speed limit controls for portions of 91st Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 359, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection control at Girls School Road and 21st Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 360, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at several locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 361, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at several locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 362, 1986. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at Broadway and E. 9th Street and E. Arch Street and Broadway"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 363, 1986. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by establishing parking regulations on portions of Massachusetts Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 364, 1986. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by adding stopping, standing and parking prohibited restrictions for portions of New York and Michigan Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 365, 1986. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by establishing a portion of Herman Street as one-way"; and the President referred it to the Transportation Committee.

[Clerk's Note: Councillor West indicated after the Clerk's reading of the introductory proposals that he had made a minor change to subsection (d) of Proposal No. 334, 1986, by moving the phrase "township assessors and their employees" to a different sentence in the same subsection (d).]

### SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 326, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in November 1985, for Stewart Manufacturing Company, Inc. PROPOSAL NO. 327, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in April 1985, for Joseph F. Sexton. PROPOSAL NO. 328, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in November 1985, for Stenz & Associates. Councillor Schneider explained that all three resolutions change the expiration date from June 30, 1986, to January 31, 1987. The Economic Development Committee on June 18, 1986, recommended Proposal Nos. 326, 327 and 328, 1986, Do Pass by a 4-0 vote. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 326, 327 and 328, 1986, were adopted on the following roll call vote; viz:

24 AYES: *Borst, Boyd, Clark, Cottingham, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

NO NAYS

5 NOT VOTING: *Bradley, Coughenour, Crowe, Dowden, Rader*

Proposal No. 326, 1986, was retitled SPECIAL RESOLUTION NO. 72, 1986, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 72, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 164, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 164, 1985 (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Stewart Manufacturing Company, Inc. (the "Company") which Special Resolution set an expiration date of June 30, 1986 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

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

**SECTION 1.** The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1986 contained therein and replacing said date with the date of January 31, 1987.

**SECTION 2.** The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

Proposal No. 327, 1986, was retitled SPECIAL RESOLUTION NO. 73, 1986, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 73, 1986**

A SPECIAL RESOLUTION amending City-County Special Resolution No. 34, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 34, 1985 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed

economic development facilities to be developed by Joseph F. Sexton, corporations controlled by Joseph F. Sexton, or limited partnership(s) of which Joseph F. Sexton or corporation(s) controlled by him is or are the general partner (the "Company") which Special Resolution set an expiration date of June 30, 1986 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

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

**SECTION 1.** The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1986 contained therein and replacing said date with the date of January 31, 1987.

**SECTION 2.** The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

Proposal No. 328, 1986, was retitled SPECIAL RESOLUTION NO. 74, 1986, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 74, 1986**

A SPECIAL RESOLUTION amending City-County Special Resolution No. 170, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 170, 1985 (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Stenz & Associates, Inc. or its assigns (the "Company") which Special Resolution set an expiration date of June 30, 1986 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

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

**SECTION 1.** The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1986 contained therein and replacing said date with the date of January 31, 1987.

**SECTION 2.** The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 329, 1986. This proposal is a final bond ordinance authorizing the issuance of \$8,000,000 in Economic Development Revenue Bonds for American Trans Air, Inc. Councillor Schneider stated that American Trans Air, Inc. is one of the largest charter air carriers in the United States. The project involves the construction of a hangar, office and maintenance shop. McDonald and Company Securities, Inc. is serving as underwriter for this bond issue which has a 9% interest rate. The Economic Development Committee on June 18, 1986, recommended Proposal No. 329, 1986, Do Pass by a 5-0 vote. Councillor Schneider moved, seconded by Councillor Rader, for adoption. Proposal No. 329, 1986, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Cottingham, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West, Williams*

NO NAYS

4 NOT VOTING: *Clark, Coughenour, Durnil, Strader*

Proposal No. 329, 1986, was retitled SPECIAL ORDINANCE NO. 22, 1986, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 22, 1986**

**A SPECIAL ORDINANCE** authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1986 (American Trans Air, Inc. Project)" in the maximum aggregate principal amount of Eight Million Dollars (\$8,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for American Trans Air, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 18, 1986 pursuant to IC 36-7-12-24 and Section 103 of the Internal Revenue Code of 1954, as amended, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by American Trans Air, Inc. (the "Company") consisting of the Project as hereinafter defined complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens. The project consists of the acquisition and construction of a hangar and portions of a flight administration building at the Indianapolis International Airport on the real estate leased from the Indianapolis International Airport Authority and identified below together with certain machinery and equipment to be used in the commercial airline business. The American Trans Air, Inc. Corporate Office Building and Aircraft Maintenance Hangar will be built on the northwest quadrant of Indianapolis International Airport. The two-story administrative office area will be approximately 51,000 square feet and will adjoin the Maintenance Hangar Facility. There will be paved parking for approximately 500 automobiles. The Aircraft Maintenance Hangar will consist of approximately 121,000 square feet and will be capable of totally enclosing two L-1-11 aircraft or four 727 aircraft at one time for repairs. The facility will be a three-story structure adjoining a taxiway and aircraft parking apron which already have been built by the Airport Authority. The real estate located at Indianapolis International Airport consists of 648,000 square feet and an optional expansion area 611,250 feet. All necessary utilities will connect to lines of existing service constructed by the Airport Authority. The facilities identified above are to be located on a parcel of land at the Indianapolis International Airport which is located at 2500 South High School Road in Indianapolis, Marion County, Indiana. The Project will be initially owned by the Indianapolis Airport Authority and leased to American Trans Air, Inc. pursuant to a Land Lease Agreement (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Series 1986 Note, Trust Indenture, Bond Purchase Agreement, Preliminary Official Statement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1986 (American Trans Air, Inc. Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

**SECTION 2.** The forms of the Financing Documents approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection. The execution and distribution of a final official Statement in substantially the form of the Preliminary Official Statement presented to this meeting is hereby approved. The Mayor or Clerk is hereby authorized and directed to execute and deliver the Official Statement in the name and on behalf of the City. The Official Statement, as executed, shall be in substantially the form of the Preliminary Official Statement now before this meeting and hereby approved, with such changes therein as shall be approved by the Mayor or the Clerk, such officer's execution thereof to constitute conclusive evidence of the City's approval of any and all changes or revisions therein from the form of the Preliminary Official Statement now before this meeting. The Mayor and/or City Clerk may approve such changes without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in IC 36-7-12-27(a) through (a)(11). Distribution of the Official Statement in connection with the sale of the Series 1986 Bonds is hereby approved.

**SECTION 3.** The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1986 (American Trans Air, Inc. Project) in the maximum aggregate principal amount of Eight Million Dollars (\$8,000,000) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note, in the principal amount equal to the aggregate principal amount of the Bonds, which will be executed and delivered by American Trans Air, Inc. to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

**SECTION 4.** The City Clerk or City Controller are authorized and directed to sell such Bonds to McDonald & Company Securities, Inc. (the "Underwriter") at a price not less than 95% of the aggregate principal amount thereof, plus accrued interest, if any and at stated per annum rates of interest not to exceed nine percent (9%).

**SECTION 5.** The Mayor and City Clerk are authorized and directed to execute those Financing Documents including the Official Statement which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the Underwriter payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents (including the Official Statement) requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in IC 36-7-12-27(a)(1) through (a)(11).

**SECTION 6.** The City of Indianapolis elects to issue the Bonds pursuant to the \$10,000,000 small issue exemption set out in Section 103(b)(6)(D) of the Internal Revenue Code of 1954, as amended.

**SECTION 7.** The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

**SECTION 8.** This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 330, 1986. This proposal is a final bond ordinance authorizing \$4,400,000 in Refunding Revenue Bonds concerning previously issued City of Indianapolis, Indiana Economic Development Revenue Bonds (Buckingham/Balmoral Historical Partners Project). Councillor Schneider explained that Proposal 330 authorizes the sale of \$4.4 million refunding revenue bonds to be purchased by MFS Managed High Yield Municipal Bond Trust; the proceeds of which will be used to refund previously issued bonds which were purchased by A.G. Edwards & Sons, Inc. The Economic Development Committee on June 18, 1986, recommended Proposal No. 330, 1986, Do Pass by a vote of 4-0-1. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 330, 1986, was adopted on the following roll call; vote, viz:

25 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*

1 NAY: *Howard*

3 NOT VOTING: *Coughenour, Crowe, Schneider*

Proposal No. 330, 1986, was retitled SPECIAL ORDINANCE NO. 23, 1986, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 23, 1986**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Refunding Bonds, Series 1986 (Buckingham/Balmoral Historical Partners Project)" in the aggregate principal amount of Four Million Four Hundred Thousand Dollars (\$4,400,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Buckingham/Balmoral Historical Partners and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 18, 1986, pursuant to IC 36-7-12-24 and Section 103 of the Internal Revenue Code of 1954, as amended, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the refunding financing of certain economic development facilities developed by Buckingham/Balmoral Historical Partners (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of two existing buildings containing a total of approximately 125,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 3055 North Meridian Street (the Balmoral) and 3101-3199 North Meridian Street (the Buckingham), Indianapolis, Indiana, which will be used for multi-family residential rental housing containing a total of 87 units ("the Project") which will be initially owned and operated by Buckingham/Balmoral Historical Partners complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Official Statement, Purchase Contract, Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Collateral Assignment of Leases and Rentals, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Refunding Bonds, Series 1986 (Buckingham/Balmoral Historical Partners Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

**SECTION 1.** It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of Refunding revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

**SECTION 2.** The forms of the Financing Documents approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

**SECTION 3.** The City of Indianapolis shall issue its Economic Development Revenue Refunding Bonds, Series 1986 (Buckingham/Balmoral Historical Partners Project) in the aggregate principal amount of Four Million Four Hundred Thousand Dollars (\$4,400,000) for the purpose of procuring funds to loan to the Company in order to refund the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Buckingham/Balmoral Historical Partners Project) which were issued to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Four Million Four Hundred Thousand Dollars (\$4,400,000) which will be executed

and delivered by Buckingham/Balmoral Historical Partners to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Refunding Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

**SECTION 4.** The City Clerk or City Controller are authorized and directed to sell such Refunding Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

**SECTION 5.** The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Refunding Bonds to the purchase or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in IC 36-7-12-27(a)(1) through (a)(11).

**SECTION 6.** The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Refunding Bonds and after the issuance of said Refunding Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Refunding Bonds or the interest thereon remains unpaid.

**SECTION 7.** This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 331, 1986, is a final bond ordinance authorizing certain amendments concerning previously issued City of Indianapolis, Indiana Economic Development Revenue Bonds (Indiana Sports Corporation). The Economic Development Committee on June 18, 1986, recommended Proposal No. 331, 1986, Do Pass by a vote of 5-0-1. Councillor Schneider explained that since the Committee meeting, company officials have expressed a desire for the proposal to be postponed. Councillor Schneider moved to postpone Proposal No. 331, 1986, until the July 21, 1986, meeting of the Council. Consent was given.

PROPOSAL NO. 332, 1986. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for St. Paul Home for the Aged Trust in an approximate amount of \$2,295,000. Councillor Schneider stated that the company is currently operating a

forty-eight-bed licensed comprehensive care nursing facility (intermediate care level) at 1141-43 N. Sheffield Avenue. The project involves the construction of a new building containing approximately 15,400 square feet at the present location. Forty-eight of the licensed beds will be relocated to the new addition. The present building contains approximately 13,200 square feet and will be renovated for use for forty-four residential beds (lowest level of licensed care). The Economic Development Committee on June 18, 1986, recommended Proposal No. 332, 1986, Do Pass by a 6-0 vote. Councillor Schneider moved, seconded by Councillor Stewart, for adoption. Proposal No. 332, 1986, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Cottingham, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

NO NAYS

3 NOT VOTING: *Bradley, Clark, Coughenour*

Proposal No. 332, 1986, was retitled SPECIAL RESOLUTION NO. 75, 1986, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 75, 1986

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

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, St. Paul Home for the Aged Trust (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, renovate, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of an existing building containing approximately 13,200 square feet which will be used by the Applicant to provide for approximately 44 licensed residential beds plus the acquisition, construction, installation and equipping of a new nursing care facility containing approximately 15,400 square feet and approximately 48 beds all of which will be located on approximately 1.0 acre of land at 1141-43 North Sheffield Avenue, Indianapolis, Indiana; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 19 at the end of one year and 19 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$2,295,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires January 31, 1987 unless

such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

**SECTION 4.** All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NOS. 369 - 375, 1986. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 6, 1986". Councillor Miller requested that Proposal No. 370, 1986, be scheduled for public hearing by the Council at its July 21, 1986, meeting. Consent was given. No action was taken by the Council on Proposal Nos. 369, 371 - 375, 1986, and the proposals were deemed adopted. Proposal Nos. 369, 371 - 375, 1986, were retitled REZONING ORDINANCE NOS. 79 - 84, 1986, and read as follows:

**REZONING ORDINANCE NO. 79, 1986. 86-Z-56 AMENDED LAWRENCE TOWNSHIP COUNCILMANIC DISTRICT NO. 5 8920 EAST 86TH STREET, INDIANAPOLIS.**  
Mary S. Condit, by James W. Beatty, requests the rezoning of 51.01 acres, being in the A-2 district, to the D-2 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 80, 1986. 86-Z-72 WARREN TOWNSHIP COUNCILMANIC DISTRICT NO. 13 6945 EAST RAYMOND STREET, INDIANAPOLIS.**  
Irvington Little League, by Stephen D. Mears, requests the rezoning of 11.72 acres, being in the A-2 district, to the SU-16 classification, to provide for the continued use as baseball fields.

**REZONING ORDINANCE NO. 81, 1986. 86-Z-75 (86-DP-5) WASHINGTON TOWNSHIP**

**COUNCILMANIC DISTRICT NO. 6  
6403 NORTH MERIDIAN STREET, INDIANAPOLIS.**

Aaron Y. Cohen, by Philip A. Nicely, requests the rezoning of 9.13 acres, being in the SU-1 district, to the D-P classification, to provide for a planned unit development containing a maximum of 36 condominium units.

**REZONING ORDINANCE NO. 82, 1986. 86-Z-76 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 10**

**2607 NORTH LAYMAN AVENUE, INDIANAPOLIS.**

Metropolitan Development Commission requests the rezoning of 0.3 acres, being in the SU-1 district, to the D-3 classification, to correct a mapping error relating to rezoning petition 68-Z-166.

**REZONING ORDINANCE NO. 83, 1986. 86-Z-78 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 14**

**415 SOUTH SHORTRIDGE ROAD, INDIANAPOLIS.**

Double Eleven Credit Union, by James E. Sandifer, requests the rezoning of approximately 4 acres, being in the A-2 district, to the C-1 classification, to provide for the construction of an office building.

**REZONING ORDINANCE NO. 84, 1986. 86-Z-80 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 9**

**121 EAST 38TH STREET, INDIANAPOLIS.**

Fox, Trahin & Fox Real Estate Partnership, by Patrick D. Fox, requests the rezoning of 0.18 acre, being in the D-9 district, to the C-1 classification, to provide for office use.

PROPOSAL NOS. 376 - 387, 1986. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 20, 1986". Councillor McGrath requested that Proposal No. 377, 1986, be scheduled for public hearing by the Council at its July 21, 1986, meeting. Consent was given. No action was taken by the Council on Proposal Nos. 376, 378 - 387, 1986, and the proposals were deemed adopted. Proposal Nos. 376, 378 - 387, 1986, were retitled REZONING ORDINANCE NOS. 85 - 95, 1986, and read as follows:

**REZONING ORDINANCE NO. 85, 1986. 86-Z-37 (86-DP-2) AMENDED  
WASHINGTON TOWNSHIP**

**COUNCILMANIC DISTRICT NO. 4  
7402 SOMERSET BAY, INDIANAPOLIS.**

Bay Development Corporation, by William F. Lemond, requests rezoning of 27.239 acres, being in the D-6 and C-4 districts, to the DP classification, to provide for construction of not to exceed 66 two-story and 114 3-story retirement apartments with lower level parking with nonresidential amenities for the primary use of its occupants per plans filed. Located between the termination of Ruth Drive and North River Road and extending east into Somerset Lake.

**REZONING ORDINANCE NO. 86, 1986. 86-Z-77 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 10**

**2602 NORTH LAYMAN AVENUE, INDIANAPOLIS.**

Metropolitan Development Commission requests the rezoning of 0.6 acre, being in the D-3 district, to the SU-1 classification, to correct a mapping error relating to rezoning petition 68-Z-166.

**REZONING ORDINANCE NO. 87, 1986. 86-Z-79 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 17**

**1101 FOLTZ STREET, INDIANAPOLIS.**

Wanamaker Construction Company and Naegele Outdoor Advertising, Inc., by Carol Warren Collins, request the rezoning of 0.71 acre, being in the A-1 district, to the I-3-S classification, to provide for permitted industrial uses.

**REZONING ORDINANCE NO. 88, 1986. 86-Z-82 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 11**

**5715 MASSACHUSETTS AVENUE, INDIANAPOLIS.**

Charles L. Williams, by Stephen D. Mears, requests the rezoning of 8.06 acres, being in the I-2-U and D-4 districts, to the I-2-U classification, to provide for industrial use.

**REZONING ORDINANCE NO. 89, 1986. 86-Z-83 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 14**

**938 NORTH FRANKLIN ROAD, INDIANAPOLIS.**

Franklin Road Church of Christ requests the rezoning of 0.4 acre, being in the D-3 district, to the SU-1 classification, to provide for expanded church uses.

**REZONING ORDINANCE NO. 90, 1986. 86-Z-86 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 4**

**8102 DEAN ROAD, INDIANAPOLIS.**

Lake Clearwater Development Company, by John F. Kautzman, requests the rezoning of 6.5 acres, being in the D-7 district, to the D-3 classification, to provide for the development of 26 single-family lots.

**REZONING ORDINANCE NO. 91, 1986. 86-Z-87 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 12**

**1061 NORTH MITTHOEFER ROAD, INDIANAPOLIS.**

John Hurwitz, by Thomas Michael Quinn, Jr., requests the rezoning of 2.43 acres, being in the C-S district, to the C-3 classification, to provide for retail shops.

**REZONING ORDINANCE NO. 92, 1986. 86-Z-88 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 6**

**1850 EAST 62ND STREET, INDIANAPOLIS.**

Tony Rogers Advertising requests the rezoning of 0.62 acre, being in the D-5 district, to the C-3 classification, to permit expansion of a restaurant established by 81-UV2-148.

**REZONING ORDINANCE NO. 93, 1986. 86-Z-89 PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1**

**5446 WEST 86TH STREET, INDIANAPOLIS.**

F & R Realty, by Brian J. Touhy, requests the rezoning of 1.15 acres, being in the I-4-S district, to the C-4 classification, to provide for retail use of an existing building.

**REZONING ORDINANCE NO. 94, 1986. 86-Z-90 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13**

**9203 EAST WASHINGTON STREET, INDIANAPOLIS.**

J. L. Flynn Company, Incorporated, by Alex L. Rogers, requests the rezoning of 8.95 acres, being in the D-5 and C-3 districts, to the C-4 classification, to provide for retail development.

**REZONING ORDINANCE NO. 95, 1986. 86-Z-96 (86-DP-7) LAWRENCE TOWNSHIP**

**COUNCILMANIC DISTRICT NO. 5  
9401 MUD CREEK ROAD, INDIANAPOLIS.**

William A. Schmadeke, et. al., by William F. LeMond, request the rezoning of 145.15 acres, being in the A-2 district, to the D-P classification, to provide for a planned unit development consisting of single-family residences with a maximum density of 1.87 units per acre.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 159, 1986. This proposal establishes the creation of the Marion County Justice Agency and Board. Councillor Dowden noted that there would be a director/administrator to supervise operation of the data base system. The Public Safety and Criminal Justice Committee on June 4, 1986, recommended Proposal No. 159, 1986, Do Pass As Amended by a 6-0-2 vote. The amendment was to accept a redrafted version of Proposal 159 at the beginning of the committee meeting. The President called for public testimony at 7:56 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 159, 1986, As Amended, was adopted on the following roll call vote; viz:

*26 AYES: Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*

*3 NOT VOTING: Clark, McGrath, Schneider*

Proposal No. 159, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 56, 1986, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 56, 1986**

**A GENERAL ORDINANCE concerning the development of the Marion County Justice Agency from the former Marion County Justice Council.**

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

SECTION 1. Sec. 2-312 through Sec. 2-327 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by inserting language underscored and deleting the language crosshatched to read as follows:

Sec. 2 - 312. Definitions

As used in this article the following terms shall have the meanings ascribed to them:

- (a) Board means the Marion County Justice Agency Board.
- (b) Director means the director of the Marion County Justice Agency.
- (c) MCJA means the Marion County Justice Agency.
- (d) Council means the City-County Council of Indianapolis and Marion County.
- (e) Subject agencies includes the Marion County Sheriff's Department, Indianapolis Police Department, the Circuit, Superior, and Municipal Courts of Marion County, Marion County Prosecutor, and Marion County Clerk.

Sec. 2 - ~~312~~ 313. Established, appointment and qualification of chairman.

There is hereby established the Marion County Justice ~~Agency Board~~ Agency Board hereinafter designated as MCJC Board. The ~~members of the Board shall elect the chairman of the MCJC Board, who shall be a resident of the county having experience and background in justice systems.~~

Sec. 2 - ~~313~~ 314. ~~MCJC~~ Board membership.

- (a) The MCJC Board shall be composed of the following members:
  - (1) The sheriff of Marion County;
  - (2) The director of the department of public safety;
  - (3) The judge of the Marion County Circuit Court;
  - (4) The presiding judge of the municipal court of Marion County;
  - (5) A judge of the Marion Superior Court, to be designated by the presiding judge of the superior court;
  - (6) The chairman of the public safety and criminal justice committee of the city-county council;
  - (7) The Marion County prosecuting attorney;
  - (8) The Marion County clerk;
  - (9) The mayor of the City of Indianapolis, who shall sit as an ex officio member.
- (b) MCJC Board members shall serve in person and not by proxy, and without compensation.

Sec. 2 - ~~314~~ 315. Advisory members.

The following shall be advisory members of the MCJC Board:

- (a) The chief of police of the Beech Grove Police Department;
- (b) The chief of police of the Lawrence Police Department;
- (c) The chief of police of the Speedway Police Department;
- (d) A representative of the Indiana State Police Department;
- (e) The chief of the Indianapolis Police ~~Department;~~
- (f) The Marion County auditor.

Sec. 2 - ~~3A5~~ 316. Responsibility generally.

It shall be the responsibility of the ~~MJCJC~~ Board to determine the needs and identify the problems of their particular offices and agencies and to suggest answers and help find solutions to these needs and problems.

Sec. 2 - ~~3A6~~ 317. Additional duties and responsibilities.

The ~~MJCJC~~ Board shall also be charged with the following duties and responsibilities:

- (a) To confer with appropriate city, county, regional and federal agencies concerned with law enforcement and the administration of justice for the purpose of improving programs and policies;
- (b) To confer with the appropriate city, county, regional and federal agencies for the purpose of securing funds for the support of the ~~MJCJC~~ MCJA;
- (c) To advise law enforcement and the justice agencies on improved policies and programs/;
- (d) To determine the means of financing any justice related information services, subject to the approval of the council where applicable.
- (e) To review and approve all budgets, contracts and expenditures for services, equipment purchases, rents or leases, consultants, management or technical personnel, studies, programs and materials or supplies for the subject agencies' common database Justice Information System;
- (f) To conduct studies and evaluations of any and all information needs and current systems operating in the subject agencies;
- (g) To contract for technical and specialized assistance in administering its duties;
- (h) To require annual plans and resources inventories of the subject agencies and submit such plans for inclusion in the annual City/County Master Plan for information services;
- (i) To develop, maintain and communicate information services policy for the subject agencies;
- (j) To submit job descriptions and salary levels consistent with ISA and the standards established by the Auditor's office;
- (k) To approve the employment or retention by personal services contract a Director for Justice Systems who shall have such duties as directed herein. This Director will report administratively to the Director of ISA retained by the ISA Board;
- (l) To promulgate rules and regulations for the efficient administration of its policies and procedures for the subject agencies;
- (m) To establish requirements for standards for privacy of personally identifiable confidential information and security of systems and records of subject agencies;

- (n) To delegate any functions to the director, subject to review by the Board.

Sec. 2 - 318. Officers; quorum; meetings.

- (a) The officers of the Board shall be a chairman and a secretary, one of whom shall be a city official and the other a county official. They shall be elected by the Board. All contracts, agreements, resolutions and official communications of the Board shall be in writing and be executed by these officers upon being authorized by motion passed by the Board by simple majority of its members present.
- (b) A quorum of the Board for official action in session shall be five (5) voting members. For this purpose, the director of the agency shall not be considered a member. Official minutes of meetings shall be kept by the secretary.
- (c) The Board shall meet monthly at such place and time as may be set by the chairman, and may meet at such other times and places as may be needed in special session called by the chairman for a particular purpose. All meetings, whether regular or special, shall be open to the public. No official action may be taken by the Board except at a public meeting, whether regular or special. Board members may confer from time to time in executive session without the necessity of calling a public meeting as applicable by law.

Sec. 2 - 319. Director - Qualifications; responsibilities generally.

The director shall meet with the Board as a nonvoting member. The director shall have such qualifications and experiences as set by the Board. The director shall be the senior administrator of the MCJA and shall act as technical advisor and provide staff support for the Board in its deliberations. The director shall have the authority and responsibility to act for the Board in its name on a daily operational basis when the Board is not in session, but all such action shall be subject to the review of the Board.

Sec. 2 - 320. Same - Powers and duties.

The director shall have the following additional specific duties:

- (a) To review information services activities, operations, requests and technical personnel of the subject agencies and provide recommendations on same to the subject agency or Board; to oversee the management activities which are subject to this article;
- (b) To receive and review with comment and recommendations all reports, requests and documents for the Board;
- (c) To communicate for and on behalf of the Board with the subject agencies, other governmental units, and the private sector when the Board is not in session;
- (d) To receive budget proposals for information services for the subject agencies and to assist the Board in review and evaluation of the budgets and correlate with the City/County Annual Information Services Master Plan;
- (e) To review all contracts and expenditures for information services related to the common database justice system development and submit same with comment and recommendations to the Board for action;

- (f) To coordinate the preparation of a master plan for information services operations for all subject agencies, within the direction given from the Board;
- (g) To implement all administrative rules and regulations promulgated by the Board.

Sec. 2 - 321. Appeal procedure.

- (a) Any subject agency which, in the opinion of that agency head, feels aggrieved at a decision of the Board concerning that agency's operations, may file a written request for review of such decision with the chairman of the Board, who shall place such request on the agenda of the special meeting of the Board for the purpose of appellate review.
- (b) Any subject agency which feels aggrieved at the decision resulting from appeal to this Board, may appeal to the Marion County Information Services Board and proceed pursuant to Sec. 2 - 245 of this Code.

Sec. 2 - 322. Marion County Justice Agency.

There is created the Marion County Justice Agency (MCJA) which shall be under the policy supervision of the Marion County Justice Agency Board through the director. MCJA shall be the functional operating information services facility for such portions and agencies of local government as this article may prescribe. The Board shall approve the organization of MCJA along such lines as are consistent with principles of good management and the provisions of this article.

Sec. 2 - 323. Duties of director with respect to agency.

MCJA shall be managed and supervised by the director. The director will be responsible for the planning, organization and management of MCJA within the organization plans and policies approved by the Board.

Sec. 2 - 324. Agency function.

MCJA shall provide information services coordination to those local government subject agencies designated by this article according to the direction given by the Board and the City/County Information Services Master Plan. MCJA subject to the Board's direction shall be the primary coordinator of information services for the subject agencies and shall receive systems and service requests from the subject agencies, evaluate same and submit to the Board for approval or implement based on authority delegated by the Board.

Sec. 2 - ~~317~~ 325. Cooperation of other city and county agencies.

All city and county agencies of government and officials thereof shall furnish the MCJA MCJA with information as is necessary to carry out the purpose and responsibilities of the council; provided, however, that no agency will be required to furnish information that is defined as being privileged under applicable laws.

Sec. 2 - 326. Funding.

The MCJA shall operate on a charge back system so that city subject agencies shall reimburse the county for funds expended on their behalf.

Sec. 2 - 327. Relationship with Information Service Board.

Decisions of the Board shall be final unless the Information Services Board elects to review such decisions.

**SECTION 2.** (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 ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

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

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

PROPOSAL NO. 160, 1986. This proposal appropriates \$1,075,660 and establishes a personnel schedule for the Marion County Justice Agency for the integrated justice system. Councillor Dowden explained that Proposal 160 is a companion to Proposal 159. The Public Safety and Criminal Justice Committee on June 4, 1986, recommended Proposal No. 160, 1986, Do Pass As Amended by a 6-1-1 vote. The amendments, requested by Prosecutor Goldsmith, decreased the appropriation from \$1,075,660 to \$1,074,750; rearranged dollar amounts in accounting characters in Section 3; deleted one secretary position on the personnel schedule and added two positions entitled "lead programmer/analyst". The President called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 160, 1986, As Amended, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams

NO NAYS

4 NOT VOTING: Clark, Crowe, Nickell, Schneider

Proposal No. 160, 1986, As Amended, was retitled FISCAL ORDINANCE NO. 49, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 49, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional One Million Seventy-four Thousand Seven Hundred Fifty Dollars (\$1,074,750) in the County General Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(26) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating County Local Option Tax revenues to provide funding for the integrated justice system.

SECTION 2. The sum of One Million Seventy-four Thousand Seven Hundred Fifty Dollars (\$1,074,750) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 79,250
2. Supplies	7,500
3. Other Services & Charges	673,000
4. Capital Outlay	<u>315,000</u>
TOTAL INCREASE	\$1,074,750

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>\$1,074,750</u>
TOTAL REDUCTION	\$1,074,750

SECTION 5. The personnel schedule is hereby established as follows herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Manager	1	\$38,500	\$19,250
Lead Programmer/Analyst	3	34,500	51,750
Secretary	1	16,500	8,250
TOTAL	5		\$79,250

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

PROPOSAL NO. 285, 1986. This proposal transfers and appropriates \$2,000 for the Wayne Township Assessor for the purchase of various office equipment. The County and Townships Committee on June 17, 1986, recommended Proposal No. 285, 1986, Do Pass As Amended by a 5-0 vote. The amendment was in Section 4 of Proposal 285 to delete unappropriated and unencumbered County General Fund \$2,000 which changed the total reduction in the County General Fund from \$4,000 to \$2,000. The President called for public testimony at 7:59 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Hawkins, for adoption. Proposal No. 285, 1986, As Amended, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

1 NAY: *Howard*

1 NOT VOTING: *Clark*

Proposal No. 285, 1986, As Amended, was retitled FISCAL ORDINANCE NO. 50, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 50, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Thousand Dollars (\$2,000) in the County General Fund for purposes of the Wayne Township Assessor and reducing certain other appropriations for that office and the unappropriated and unencumbered balance in the County General Fund and amending the personnel compensation schedule for such office.

**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 2.01 (d) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of purchasing additional equipment for the Wayne Township Assessor's Office.

**SECTION 2.** The sum of Two Thousand Dollars (\$2,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

**SECTION 3.** The following additional appropriations are hereby approved:

WAYNE TOWNSHIP ASSESSOR

COUNTY GENERAL FUND

4. Capital Outlay  
TOTAL INCREASE

\$2,000  
\$2,000

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

WAYNE TOWNSHIP ASSESSOR

COUNTY GENERAL FUND

1. Personal Services  
TOTAL REDUCTION

\$2,000  
\$2,000

SECTION 5. Section 2.01 (d)(9) of City-County Fiscal Ordinance No. 87, 1985, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(9) WAYNE TOWNSHIP ASSESSOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	36,403	36,403
Chief Deputy	1	27,302	27,302
Deputies - Assessing	15	25,393	<del>230,188</del> <u>228,880</u>
Temporary			9,000
Overtime			3,000
<b>TOTAL</b>	<b>17</b>		<del>\$206,585</del> <u>304,585</u>

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

PROPOSAL NO. 289, 1986. This proposal appropriates \$16,500 for the Superior Court, Juvenile Division, for conference and travel expenses. Councillor Dowden explained that the conference and travel expenses were necessary for the training of probation officers at the Juvenile Court. The Public Safety and Criminal Justice Committee on June 4, 1986, recommended Proposal No. 289, 1986, Do Pass by a vote of 5-0-1. The President called for public testimony at 8:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Giffin, for adoption. Proposal No. 289, 1986, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams

NO NAYS

2 NOT VOTING: Clark, Schneider

Proposal No. 289, 1986, was retitled FISCAL ORDINANCE NO. 51, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 51, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Sixteen Thousand Five Hundred Dollars (\$16,500) in the Juvenile Probation Fees Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Juvenile Probation Fees 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 2.01 (b)(4) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Marion County Superior Court, Juvenile Division, for conference and travel expenses.

**SECTION 2.** The sum of Sixteen Thousand Five Hundred Dollars (\$16,500) 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:

**MARION COUNTY SUPERIOR COURT  
JUVENILE DIVISION**

3. Other Services & Charges  
TOTAL INCREASE

**JUVENILE PROBATION FEES FUND**

\$16,500  
\$16,500

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

Unappropriated and Unencumbered  
Juvenile Probation Fees Fund  
TOTAL REDUCTION

**JUVENILE PROBATION FEES FUND**

\$16,500  
\$16,500

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

**PROPOSAL NO. 290, 1986.** This proposal appropriates \$30,000 for the Marion County Superior Court, Juvenile Division, for the Runaway and Detention Program which will be reimbursed by a federal grant. The Public Safety and Criminal Justice Committee on June 4, 1986, recommended Proposal No. 290, 1986, Do Pass by a 6-0 vote. The President called for public testimony at 8:02 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 290, 1986, was adopted on the following roll call vote; viz:

20 AYES: *Borst, Boyd, Cottingham, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Page, Rhodes, SerVaas, Shaw, Stewart, Strader, West*  
 1 NAY: *Schneider*  
 8 NOT VOTING: *Bradley, Clark, Coughenour, Giffin, Holmes, Howard, Rader, Williams*

Proposal No. 290, 1986, was retitled FISCAL ORDINANCE NO. 52, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 52, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Thirty Thousand Dollars (\$30,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(4) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Marion County Superior Court, Juvenile Division, for the Runaway and Detention Program which will be reimbursed by a federal grant.

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

**MARION COUNTY SUPERIOR COURT  
 JUVENILE DIVISION**

3. Other Services & Charges  
 TOTAL INCREASE

STATE & FEDERAL GRANTS FUND  
\$30,000  
\$30,000

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

Unappropriated and Unencumbered  
 State & Federal Grants Fund  
 TOTAL REDUCTION

STATE & FEDERAL GRANTS FUND  
\$30,000  
\$30,000

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

PROPOSAL NO. 293, 1986. This proposal appropriates \$478,049 for the Marion County Community Corrections Advisory Board and the County Auditor and amends the personnel schedule of the Marion County Community Corrections Advisory Board to fund the Community Corrections Program for the fiscal year July 1, 1986, to June 30, 1987. The President called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 293, 1986, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*

1 NAY: *Schneider*

3 NOT VOTING: *Cottingham, Giffin, Nickell*

Proposal No. 293, 1986, was retitled FISCAL ORDINANCE NO. 53, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 53, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Four Hundred Seventy-eight Thousand Forty-nine Dollars (\$478,049) in the State and Federal Grant Fund for purposes of the Community Corrections Advisory Board and the County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund and amending the personnel compensation schedule for such office.

**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, Sections 2.01 (b)(25) and 2.01 (a)(2) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating the funds granted for the fiscal year July 1, 1986, to June 30, 1987, for the Community Corrections Advisory Board.

SECTION 2. The sum of Four Hundred Seventy-eight Thousand Forty-nine Dollars (\$478,049) 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:

**COMMUNITY CORRECTIONS ADVISORY BOARD**

**STATE AND FEDERAL GRANT FUND**

1. Personal Services	\$ 73,364
2. Supplies	3,300
3. Other Services & Charges	305,752
4. Capital Outlay	69,329



25 AYES: Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

1 NAY: Schneider

3 NOT VOTING: Clark, Dowden, Williams

Proposal No. 295, 1986, was retitled FISCAL ORDINANCE NO. 54, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 54, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Sixty-one Thousand Nine Hundred Dollars (\$61,900) in the Consolidated County Fund for purposes of the Department of Public Works, Air Pollution Control Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Public Works, Air Pollution Control Division, for additional enforcement, engineering and monitoring activities which will be offset by grant monies provided by the United States Environmental Protection Agency.

SECTION 2. The sum of Sixty-one Thousand Nine Hundred Dollars (\$61,900) 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 PUBLIC WORKS</u> <u>AIR POLLUTION CONTROL DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	\$25,867
2. Supplies	3,192
3. Other Services & Charges	19,441
4. Capital Outlay	<u>13,400</u>
TOTAL INCREASE	\$61,900

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered Consolidated County Fund	<u>\$61,900</u>
TOTAL REDUCTION	\$61,900

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

PROPOSAL NO. 296, 1986. This proposal appropriates \$19,000 for the Department of Public Works, Administration Division, for legal services in conjunction with major construction projects. Councillor Coughenour explained that legal expertise is necessary because of continual changes in various regulations affecting the Department, the number of major construction projects and potential claims relating to construction projects. The appropriation represents one-half year's salary for an in-house attorney. The Department already has two in-house attorneys working in this area. The Public Works Committee on June 19, 1986, recommended Proposal No. 296, 1986, Do Pass by a 5-0 vote. The President called for public testimony at 8:08 p.m.

An unidentified man addressed the Council and stated that in his opinion, more inspectors are needed rather than attorneys.

There being no further testimony, Councillor Coughenour moved, seconded by Councillor Howard, for adoption. Proposal No. 296, 1986, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*

NO NAYS

4 NOT VOTING: *Clark, Cottingham, Dowden, Schneider*

Proposal No. 296, 1986, was retitled FISCAL ORDINANCE NO. 55, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 55, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Nineteen Thousand Dollars (\$19,000) in the City General Fund for purposes of the Department of Public Works, Administration Division, and reducing the unappropriated and unencumbered balance in the City 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 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Public Works, Administration Division, for legal services in conjunction with major construction projects.

**SECTION 2.** The sum of Nineteen Thousand Dollars (\$19,000) 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:

<b>DEPARTMENT OF PUBLIC WORKS</b>	
<b><u>ADMINISTRATION DIVISION</u></b>	<b><u>CITY GENERAL FUND</u></b>
<b>3. Other Services &amp; Charges</b>	<b>\$19,000</b>
<b>TOTAL INCREASE</b>	<b>\$19,000</b>

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

	<b><u>CITY GENERAL FUND</u></b>
<b>Unappropriated and Unencumbered</b>	
<b>City General Fund</b>	<b>\$19,000</b>
<b>TOTAL REDUCTION</b>	<b>\$19,000</b>

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

**PROPOSAL NO. 322, 1986.** This proposal appropriates \$1,000,000 for the Department of Transportation for street reconstruction and resurfacing. Councillor Gilmer stated that the appropriation is from the Wheel Tax and that \$500,000 of the total is from 1985 revenues. The Transportation Committee on June 18, 1986, recommended Proposal No. 322, 1986, Do Pass by a vote of 4-0. The President called for public testimony at 8:12 p.m.

Councillor Williams remarked that a few weeks ago she had submitted to Mr. Fred Madorin, Director of the Department of Transportation, a request for resurfacing in areas of the Twenty-Second Councilmanic District and that when she received Mr. Madorin's response as to streets that would be resurfaced in 1986, none of her requests were on the printout.

Councillor Gilmer mentioned that Mr. Madorin had reported to the Committee at their June 18, 1986, meeting that the Department's responses to resurfacing requests would be mailed in the near future.

Councillor SerVaas announced that at 9:00 a.m. Thursday, June 26, 1986, there would be a brief tour of the City to inspect areas of the City that had already received repairs to streets and streets that were to receive repairs. He invited other Councillors to attend the tour with Councillor Gilmer, Mr. Mack Gray, Society of Retired Executives, and Mr. Tom Stoughton, Research Director for the Council.

Councillor Gilmer moved, seconded by Councillor Rader, for adoption. Proposal No. 322, 1986, was adopted on the following roll call vote; viz:

28 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, West, Williams

NO NAYS

1 NOT VOTING: Shaw

Proposal No. 322, 1986, was retitled FISCAL ORDINANCE NO. 56, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 56, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional One Million Dollars (\$1,000,000) in the Transportation General Fund for purposes of the Department of Transportation, Transportation Division, 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 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of additional street reconstruction and resurfacing.

SECTION 2. The sum of One Million Dollars (\$1,000,000) 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 DIVISION**

**TRANSPORTATION GENERAL FUND**

3. Other Services & Charges

\$1,000,000

TOTAL INCREASE

\$1,000,000

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

**TRANSPORTATION GENERAL FUND**

Unappropriated and Unencumbered

Transportation General Fund

\$1,000,000

TOTAL REDUCTION

\$1,000,000

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

PROPOSAL NO. 259, 1986. This proposal reappoints Steve Talley to the Ethics Board. The Administration Committee on May 19, 1986, recommended Proposal No. 259, 1986, Do Pass by a 6-0 vote. Councillor Miller, sponsor, recalled that Proposal No. 259 was postponed at the Council's June 2, 1986, hearing in order that the Democrat Caucus could interview Mr. Talley.

Councillor Journey stated that Mr. Talley had been interviewed by the Democrat Caucus and that the Caucus supports his reappointment. Councillor Journey moved, seconded by Councillor Miller, for adoption. Proposal No. 259, 1986, was adopted by Unanimous Voice Vote, retitled COUNCIL RESOLUTION NO. 24, 1986, and reads as follows:

### **CITY-COUNTY COUNCIL RESOLUTION NO. 24, 1986**

**A COUNCIL RESOLUTION reappointing Steve Talley to the Ethics Board.**

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

**SECTION 1. As a member of the Ethics Board the Council appoints:**

**STEVE TALLEY**

**SECTION 2. The appointment made by this resolution is for a term ending December 31, 1987. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.**

## SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 236, 1986. This proposal transfers and appropriates \$5,000 for the City-County Council Office to purchase a personal computer and additional software to complete the upgrade of two word processing units. The Administration Committee on June 16, 1986, recommended Proposal No. 236, 1986, Do Pass by a 4-2 vote. Councillor West moved, seconded by Councillor Journey, for adoption.

Councillor Borst inquired what applications the personal computer would have.

Councillor West replied that many potential uses will be found once Council Staff is trained on the computer; however, at this time one of the computer's major roles will be that of collecting data from other data bases in the United States. The Council Staff currently collects data from other data bases but loses a lot of time waiting to use other terminals in the City-County Building. Councillor West added that the personal computer will most likely have access to records of the City Controller's Office.

Mr. Fred Armstrong, City Controller, emphasized that the personal computer "would not be tied into his office"; it is merely a stand-alone unit.

Councillor Coughenour opposed the purchase of the personal computer, stating that during the Committee's June 16th hearing, there was no testimony supporting an apparent immediate need to acquire the unit.

Councillors Durnil and Clark supported the purchase of the personal computer; both concurred with Councillor West in stating that many applications will be found once the machine is acquired. He cited one particular useful feature as that of having access to information from other communities.

Councillor Holmes stated that he voted against the purchase of the personal computer at the June 16th hearing because Council Staff "did not appear to be firm about the personal computer".

Councillor Coughenour moved to amend Proposal No. 236, 1986, by reducing the appropriation to \$2,088. Councillor Holmes seconded the motion.

After hearing a voice vote on the amendment, the President ruled that the Nays carried.

Councillor Stewart endorsed the purchase of the personal computer by stating that a lot of people spend time travelling to retrieve certain information and that possibly the same information could be acquired by the personal computer.

Councillor Rader inquired if the personal computer would be accessible to the public.

Councillor SerVaas stated that it was his understanding that the personal computer would not be used by the general public and that it would be used under the direction of the Council's Research Director.

Proposal No. 236, 1986, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Boyd, Clark, Curry, Dowden, Durnil, Giffin, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

6 NAYS: *Bradley, Cottingham, Coughenour, Crowe, Gilmer, Holmes*

Proposal No. 236, 1986, was retitled FISCAL ORDINANCE NO. 57, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 57, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Five Thousand Dollars (\$5,000) in the Consolidated County Fund for purposes of the City-County Council and reducing certain other appropriations for that office.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase a personal computer and additional software to complete the upgrade of two word processing units.

SECTION 2. The sum of Five Thousand Dollars (\$5,000) 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:

<u>CITY-COUNTY COUNCIL</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	\$5,000
TOTAL INCREASE	\$5,000

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

<u>CITY-COUNTY COUNCIL</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services & Charges	\$5,000
TOTAL REDUCTION	\$5,000

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

PROPOSAL NO. 260, 1986. This proposal reappoints Dewey Hoss, Jon Bailey and Curtis Meyers to the Equal Opportunity Advisory Board. Councillor West reported that the Administration Committee on June 16, 1986, recommended Proposal No. 260, 1986, Do Pass As Amended by a 6-0 vote. The amendment was to delete Jon Bailey's name because he did not wish to be reappointed. Councillor West moved, seconded by Councillor Miller, for adoption. Proposal No. 260, 1986, As Amended, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

Proposal No. 260, 1986, As Amended, was retitled COUNCIL RESOLUTION NO. 25, 1986, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 25, 1986**

**A COUNCIL RESOLUTION** reappointing Dewey Hoss and Curtis Meyers to the Equal Opportunity Advisory Board.

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

**SECTION 1.** As a member of the Equal Opportunity Advisory Board the Council appoints:

**DEWEY HOSS  
CURTIS MEYERS**

**SECTION 2.** The appointments made by this resolution are for terms ending December 31, 1988. The persons appointed by this resolution shall serve at the pleasure of the Council and until their respective successors are appointed and have qualified.

PROPOSAL NO. 284, 1986. This proposal transfers \$150,000 for the Department of Administration, Central Equipment Management Division, for the construction of a new fueling site in the downtown area. Councillor West described other items to be funded by the appropriation as: 1) rent/lease of a forklift for emergency situations; 2) lease of an auxiliary parking lot from DA-Lubricants; 3) lease of cleaning tanks for vehicle parts; 4) body work charges incurred from Bud Wolfe Chevrolet for work done on Police Department vehicles; and 5) rental charges on the Division's copier. The Administration Committee on June 16, 1986, recommended Proposal No. 284, 1986, Do Pass by a 6-0 vote. Councillor West moved,

seconded by Councillor Holmes, for adoption. Proposal No. 284, 1986, was adopted on the following roll call vote; viz:

26 AYES: Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams  
NO NAYS

3 NOT VOTING: Borst, Journey, McGrath

Proposal No. 284, 1986, was retitled FISCAL ORDINANCE NO. 58, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 58, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating One Hundred Fifty Thousand Dollars (\$150,000) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management 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 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Administration, Central Equipment Management Division, for the construction of a new fueling site in the downtown area.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) 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:

<b>DEPARTMENT OF ADMINISTRATION</b>	
<b><u>CENTRAL EQUIPMENT MANAGEMENT DIVISION</u></b>	
	<b><u>CONSOLIDATED COUNTY FUND</u></b>
3. Other Services & Charges	\$150,000
TOTAL INCREASE	\$150,000

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

<b>DEPARTMENT OF ADMINISTRATION</b>	
<b><u>CENTRAL EQUIPMENT MANAGEMENT DIVISION</u></b>	
	<b><u>CONSOLIDATED COUNTY FUND</u></b>
2. Supplies	\$150,000
TOTAL REDUCTION	\$150,000

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

PROPOSAL NO. 286, 1986. This proposal transfers \$2,000 for the Department of Metropolitan Development, Division of Housing, for the purchase of building materials for the refurbishing of vacated units. Councillor Borst stated that the refurbishing would be done by in-house staff. The Metropolitan Development Committee on June 11, 1986, recommended Proposal No. 286, 1986, Do Pass by a 6-0 vote.

Councillor Durnil inquired if the Housing Division had adequate staff for the refurbishing.

Councillor Borst replied that the Division's staff has been upgraded to include employees with expertises in various maintenance and construction fields. The upgrading should help to avoid contractual labor.

Mr. Rudy Hightower, Administrator of the Division of Housing, confirmed that the Division's staff has been upgraded to include employees with specialities. In closing, Mr. Hightower added the vacancy rate is much improved over previous years; the Division currently has an approximate 2% vacancy rate.

Councillor SerVaas suggested that since the public housing issue was first examined by the Community Affairs Committee a few years ago that the Committee meet and tour the various public housing facilities.

Councillor Borst moved, seconded by Councillor Howard, for adoption. Proposal No. 286, 1986, was adopted on the following roll call vote; viz:

*28 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*

*NO NAYS*

*1 NOT VOTING: Schneider*

Proposal No. 286, 1986, was retitled FISCAL ORDINANCE NO. 59, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 59, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Two Hundred Thousand Dollars (\$200,000) in the Housing Authority Fund for purposes of the Department of Metropolitan Development, Division of Housing, 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 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Metropolitan Development, Division of Housing, for the purchase of building materials for the refurbishing of vacated units.

**SECTION 2.** The sum of Two Hundred Thousand Dollars (\$200,000) 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:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>HOUSING AUTHORITY FUND</u>
<u>DIVISION OF HOUSING</u>	
2. Supplies	\$200,000
<b>TOTAL INCREASE</b>	<b>\$200,000</b>

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

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>HOUSING AUTHORITY FUND</u>
<u>DIVISION OF HOUSING</u>	
4. Capital Outlay	\$200,000
<b>TOTAL REDUCTION</b>	<b>\$200,000</b>

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

PROPOSAL 287, 1986. This proposal approves amendments to the 1986 Budget of the Capital Improvements Board of Managers. Councillor Clark explained that the \$2,112,200 will be funded from unappropriated monies in the Board's general operating fund; therefore, an increase in property taxes is not necessary. The appropriation will be used to fund several items: 1) payroll for in-house technical staff for the Hoosier Dome; 2) an increase in insurance premiums; 3) an anticipated increase in utilities; 4) to consolidate two loans from Merchants National Bank into a short-term loan (loans for the Market Square Arena Parking Garage and facility for the Colts); 5) to cover a budget shortage to the Visitor's Association; 6) medical expenses for the Colt's (to be paid to Community Hospital for services rendered during the games); 7) architect-engineer fees for consulting

purposes on the master plan to expand the Convention Center; 8) renovation of a part of the southeast corner of the Hoosier Dome plus the addition of two locker rooms; and 9) \$350,000 for an indoor track in the Hoosier Dome. The Municipal Corporations Committee on June 5, 1986, recommended Proposal No. 287, 1986, Do Pass by a 3-0 vote. Councillor Clark moved, seconded by Councillor Howard, for adoption. Proposal No. 287, 1986, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*

NO NAYS

1 NOT VOTING: *Schneider*

Proposal No. 287, 1986, was retitled GENERAL RESOLUTION NO. 4, 1986, and reads as follows:

**CITY-COUNTY GENERAL RESOLUTION NO. 4, 1986**

A GENERAL RESOLUTION modifying the operating budget of the Capital Improvements Board of Managers of Marion County, Indiana, by amending City-County General Resolution No. 11, 1985.

WHEREAS, I.C. 36-3-6-9 empowers the City-County Council to review and modify the budget of the Capital Improvements Board of Managers of Marion County; and

WHEREAS, the Capital Improvements Board of Managers of Marion County has requested approval for additional expenditures from the General Operating Fund; now, therefore:

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

SECTION 1. City-County General Resolution No. 11, 1985, is amended by allowing the following additional expenditures:

100	Personal Services	\$ 166,600
300	Other Services & Charges	1,245,600
400	Capital Outlay	<u>700,000</u>
	<b>TOTAL ADDITIONAL EXPENDITURES</b>	<b>\$2,112,200</b>

SECTION 2. The said additional expenditures are funded by the following reduction:

Unappropriated and Unencumbered	
General Operating Fund	<u>\$2,112,200</u>
<b>TOTAL DECREASED EXPENDITURE</b>	<b>\$2,112,200</b>

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

Councillor Clark mentioned that an item of discussion at the Municipal Corporations Committee's June 5, 1986, hearing was that of the proposed \$3.9 million bond issue for the Health and Hospital Corporation. Funds from the bond issue will be used to repair and maintain facilities at Wishard Memorial Hospital. Councillor Clark added that the Committee voted unanimously to accept the proposed bond issue.

President SerVaas stated that the Committee report stands since there were no dissensions voiced by Councillors.

**PROPOSAL NO. 288, 1986.** This proposal amends the Code with regard to spaying and neutering animals adopted from the Animal Control Division. Councillor Dowden explained that the new provision would require a person adopting a cat or dog from the Animal Control Division to agree to have the animal spayed or neutered. The Public Safety and Criminal Justice Committee on June 4, 1986, recommended Proposal No. 288, 1986, Do Pass by a 7-0 vote. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 288, 1986, was adopted on the following roll call vote; viz:

**27 AYES:** *Borst, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

**2 NAYS:** *Boyd, Howard*

Proposal No. 288, 1986, was retitled **GENERAL ORDINANCE NO. 57, 1986**, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 57, 1986**

**A GENERAL ORDINANCE** amending the "Code of Indianapolis and Marion County, Indiana", amending Chapter 6, Article III, Sec. 144 with regard to neutering male dogs and cats adopted from the Animal Control Division.

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

SECTION 1. Section 144 of Article III of Chapter 6 of the "Code of Indianapolis and Marion County, Indiana" is hereby amended by deleting the words crosshatched and inserting the words underlined as follows:

Sec. 6 - 144. Restrictions on ~~the~~ adoption of ~~the~~ cats and dogs.

~~Any person who wishes to adopt a cat or dog which has been impounded pursuant to this article, shall first agree to have the cat or dog spayed if it is a female or neutered if it is a male, at his expense. Failure to have the cat or dog spayed or neutered shall be a violation of this Code.~~

SECTION 2. (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 of liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

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

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

PROPOSAL NO. 291, 1986. This proposal authorizes changes in the personnel compensation schedule of the Marion County Juvenile Detention Center. Councillor Dowden stated that Proposal 291 authorizes the addition of four maintenance personnel. The Public Safety and Criminal Justice Committee recommended Proposal No. 291, 1986, Do Pass by a 4-2 vote. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 291, 1986, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams  
NO NAYS

2 NOT VOTING: Cottingham, Giffin

Proposal No. 291, 1986, was retitled FISCAL ORDINANCE NO. 60, 1986, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 60, 1986**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) authorizing changes in the personnel compensation schedule (Section 2.01) of the Marion County Juvenile Detention Center.

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

**SECTION 1.** Section 2.01 (b)(5) of City-County Fiscal Ordinance No. 87, 1985, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

**(5) JUVENILE DETENTION CENTER - Dept. 53**

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Administrator	1	28,453	28,453
Assistant Managers	5	24,451	105,822
Asst. Supervisors	6	14,536	87,003
Child Care Supervisors	69	16,401	853,422
Clerk Typist	7	13,803	80,481
Cook	9	13,500	103,186
Dir. of Nursing	1	20,848	20,748
Janitor/Maid	3	12,770	34,903
Laundry	2	10,000	20,036
Maintenance Men	<del>19</del>	<del>11,675</del> <u>19,500</u>	<del>56,128</del> <u>75,926</u>
Maint. Supervisor	1	<del>18,598</del> <u>20,000</u>	<del>18,598</del> <u>19,300</u>
Nurse	5	14,814	73,627
Professional	2	24,078	46,731
Recreation Director	1	<del>17,878</del> <u>20,000</u>	<del>17,878</del> <u>18,930</u>
Recreation Staff	4	17,345	59,421
Seamstress	1	10,000	10,000
Social Serv. Director	1	19,607	19,607
Social Worker	7	16,491	101,085
Specialist	1	15,435	15,435
Temporary			11,363
Overtime			79,400
Vacancy Factor			<del>(38,287)</del> <u>(54,558)</u>
<b>TOTAL</b>	<b>131</b>		<b>1,810,321</b>

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

PROPOSAL NO. 292, 1986. This proposal authorizes the Marion County Community Corrections Advisory Board to contract with certain entities to provide residential space and services for a community corrections program.

The Public Safety and Criminal Justice Committee on June 4, 1986, recommended Proposal No. 292, 1986, Do Pass by a 6-0 vote. Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 292, 1986, was adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

NO NAYS

1 NOT VOTING: *Durnil*

Proposal No. 292, 1986, was retitled GENERAL RESOLUTION NO. 5, 1986, and reads as follows:

**CITY-COUNTY GENERAL RESOLUTION NO. 5, 1986**

**A GENERAL RESOLUTION** authorizing the Marion County Community Corrections Advisory Board to contract with the J.P. Craine House, Riverside Residential Center and Public Action in Correctional Effort, Inc. (PACE) to provide residential space and services for a community corrections program.

**WHEREAS**, the Marion County Community Corrections Advisory Board was established pursuant to I.C. 11-12-1-2 and City-County Special Resolution No. 103, 1981; and

**WHEREAS**, any agreement entered into by the Advisory Board to provide residential space for a community corrections program must be approved by the City-County Council; and

**WHEREAS**, the Marion County Community Corrections Advisory Board desires to contract with the J.P. Craine House, Riverside Residential Center and Public Action in Correctional Effort, Inc. (PACE) to provide residential space and services for a community corrections program; now, therefore:

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

**SECTION 1.** The City-County Council of Indianapolis and Marion County, as the legislative body of Marion County, hereby approves the contractual agreement contemplated by the Marion County Community Corrections Advisory Board and the J.P. Craine House, Riverside Residential Center and Public Action in Correctional Effort, Inc. (PACE) to provide residential facilities and services for a community corrections program.

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

PROPOSAL NO. 294, 1986. This proposal ratifies and approves the appointment of Julie A. Hall as the Coordinator of the Marion County Community Corrections Program. Councillor Dowden noted that Ms. Hall had been the Assistant Director of the Program since 1984. The Public Safety and Criminal Justice Committee recommended Proposal No. 294, 1986, Do Pass by a 6-0 vote. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 294, 1986, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

Proposal No. 294, 1986, was retitled COUNCIL RESOLUTION NO. 26, 1986, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 26, 1986**

**A COUNCIL RESOLUTION ratifying and approving the appointment of Julie A. Hall as the Coordinator of the Marion County Community Corrections Program.**

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

**SECTION 1. The City-County Council ratifies and approves the appointment by the Marion County Community Corrections Advisory Board of Julie A. Hall as the Coordinator of the Marion County Community Corrections Program.**

**SECTION 2. This appointment may commence upon adoption of this resolution by the full Council**

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

PROPOSAL NO. 297, 1986. This proposal would have amended the Code with regard to the rules of the City-County Council to establish a standing committee on Computer-Telecommunications. Councillor McGrath explained that the Rules and Policy Committee on June 10, 1986, recommended Proposal No. 297, 1986, Do Pass As Amended by a 4-2-1 vote. The amendment was to change the name of the new committee to "Computer Information Services Committee". Councillor McGrath moved for the adoption of Proposal No. 297, 1986.

Councillor Miller moved, seconded by Councillor Giffin, to withdraw Proposal No. 297, 1986, from consideration.

After hearing the voice vote on the motion to withdraw, President SerVaas ruled that the Ayes carried.

Councillor SerVaas explained that the Computer Applications Ad-Hoc Committee had been in existence for a couple of years with Councillor Rhodes serving as its chairman. Councillor SerVaas commended the efforts of the Ad-Hoc Committee.

PROPOSAL NO. 298, 1986, amends the Code with regard to weight load restrictions on a portion of 75th Street. PROPOSAL NO. 299, 1986, amends the Code with regard to the intersection control at E. New York Street and N. Ogden Street. PROPOSAL NO. 300, 1986, amends the Code with regard to stopping, standing and parking prohibited regulations for portions of New York Street. PROPOSAL NO. 301, 1986, amends the Code with regard to the intersection control at Thurman Drive and Watersonway Circle. PROPOSAL NO. 302, 1986, amends the Code with regard to weight load restrictions on a portion of Villa Avenue and Randolph Street. PROPOSAL NO. 303, 1986, amends the Code with regard to intersection controls at the intersection of Bloyd Avenue, Roosevelt Avenue and Rural Street. Councillor Gilmer stated that Proposal Nos. 298 - 303, 1986, were heard by the Transportation Committee on June 18, 1986, and that all were recommended "Do Pass" by a vote of 4-0. Residents appeared before the Committee to support passage of Proposal Nos. 302 and 303, 1986. Councillor Gilmer moved, seconded by Councillor McGrath, for passage of Proposal Nos. 298 - 303, 1986. Proposal Nos. 298 - 303, 1986, were adopted on the following roll call vote; viz:

28 AYES: *Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

NO NAYS

1 NOT VOTING: *Clark*

Proposal No. 298, 1986, was retitled GENERAL ORDINANCE NO. 58, 1986, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 58, 1986**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

**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", Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

**11,000 POUNDS GROSS WEIGHT**

Seventy-fifth Street, from Westfield Boulevard to Edgewater Drive

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

Proposal No. 299, 1986, was retitled GENERAL ORDINANCE NO. 59, 1986, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 59, 1986**

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", 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>
25, Pg. 20	E. New York St. & N. Ogden St.	E. New York St.	STOP

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

Proposal No. 300, 1986, was retitled GENERAL ORDINANCE NO. 60, 1986, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 60, 1986**

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", specifically, 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  
SATURDAY AND SUNDAY  
From 4:00 p.m. to 6:00 p.m.**

New York Street, on the south side, from State Street to LaSalle Street;

New York Street, on the south side, from Gale Street to Sherman Drive;

**From 3:00 p.m. to 6:00 p.m.**

New York Street, on the south side, from Sherman Drive to Emerson Avenue.

**SECTION 2.** The "Code of Indianapolis and Marion County, Indiana", specifically, 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  
SATURDAY AND SUNDAY  
From 3:00 p.m. to 6:00 p.m.**

New York Street, on the south side, from State Street to LaSalle Street;

New York Street, on the south side, from Gale Street to Emerson Avenue.

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

Proposal No. 301, 1986, was retitled GENERAL ORDINANCE NO. 61, 1986, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 61, 1986**

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
38, Pg. 1	Thurman Dr. & Watersonway Cir.	Watersonway Cir.	YIELD

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
38, Pg. 1	Thurman Dr. & Watersonway Cir.	Thurman Dr.	YIELD

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

Proposal No. 302, 1986, was retitled GENERAL ORDINANCE NO. 62, 1986, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 62, 1986**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-224, Trucks on certain streets restricted.

**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 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

**11,000 POUNDS GROSS WEIGHT**

Villa Avenue, from Walker Street to Troy Avenue

Randolph Street, from Cruft Street to Troy Avenue

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

Proposal No. 303, 1986, was retitled GENERAL ORDINANCE NO. 63, 1986, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 63, 1986**

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 3	Bloyd Av., Roosevelt Av. & N. Rural St.	N. Rural St.	STOP

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 3	Bloyd Av., Roosevelt Av. & Rural St.		SIGNAL

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

PROPOSAL NO. 320, 1986. This proposal amends the Code with regard to regulations for peddlers; creates new regulations for transient merchants. Councillor Borst explained that the Committee had preliminary discussions on the subject of transient merchants followed by two public hearings after the introduction of Proposal 320. Councillor Borst delineated the three major problems associated with transient merchants as: 1) operating without the proper license; 2) operating on or interfering with the public right-of-way; or 3) violating zoning regulations or ordinances. The Metropolitan Development Committee on June 16, 1986, recommended Proposal No. 320, 1986, Do Pass As Amended by a 6-0 vote. Councillor Borst explained that the Committee's amendments were necessary for better clarity of the new regulations.

It was Councillor SerVaas' opinion that subsection (a) under Section 17-780 of Proposal 320 could be reworded to provide a clearer meaning.

Councillor Borst moved, seconded by Councillor Rader, to amend subsection (a) under Section 17-780 of Proposal No. 320, 1986, As Amended, to add the following phrase after the word "grows": "or produces agricultural products". The amendment also included the deletion of "the" after the inserted phrase. The amendment was carried by Consent.

Councillor Borst moved, seconded by Councillor Rader, for adoption of Proposal No. 320, 1986, As Amended. Proposal No. 320, 1986, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams  
NO NAYS  
2 NOT VOTING: Dowden, Schneider

Proposal No. 320, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 64, 1986, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 64, 1986**

**A GENERAL ORDINANCE concerning transient merchants.**

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

**SECTION 1.** Article XXII of Chapter 17 of the "Code of Indianapolis and Marion County, Indiana" is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

**ARTICLE XXII Provisionally Transient Merchants**

**Sec. 17 - 762. Definition of Transient Merchant; definition.**

As used in this section, the following definitions shall apply: "Transient Merchant" means a person who, for the purpose of selling or offering for sale, displays or offers for sale, in any public place, any goods, wares, or merchandise, whether or not such person is a resident of the City of Indianapolis and Marion County, Indiana.

It shall be the duty of the City of Indianapolis and Marion County to regulate the sale of goods, wares, or merchandise by transient merchants in any public place, and to enforce such regulations.

The City of Indianapolis and Marion County shall have the authority to regulate the sale of goods, wares, or merchandise by transient merchants in any public place, and to enforce such regulations.

The City of Indianapolis and Marion County shall have the authority to regulate the sale of goods, wares, or merchandise by transient merchants in any public place, and to enforce such regulations.

It shall be the duty of the City of Indianapolis and Marion County to regulate the sale of goods, wares, or merchandise by transient merchants in any public place, and to enforce such regulations.













Sec. 17 - 789. Issuance and display of transient merchant license.

BY THE CONTROLLER OF THE STATE OF INDIANA, UPON RECEIVING AN APPLICATION FOR SUCH LICENSE, THE CONTROLLER SHALL, UPON COMPLETION OF AN INVESTIGATION BY THE CONTROLLER, THE CONTROLLER SHALL ISSUE TO THE APPLICANT A TRANSIENT MERCHANT LICENSE, WHICH SHALL BE CONSPICUOUSLY POSTED IN HIS PLACE OF BUSINESS.

(a) Upon filing a completed application, payment of any fees required by this article, and upon completion of an investigation by the controller, the controller shall issue to the applicant a transient merchant license, which shall be conspicuously posted in his place of business.

(BY THE CONTROLLER OF THE STATE OF INDIANA, UPON RECEIVING AN APPLICATION FOR SUCH LICENSE, THE CONTROLLER SHALL, UPON COMPLETION OF AN INVESTIGATION BY THE CONTROLLER, THE CONTROLLER SHALL ISSUE TO THE APPLICANT A TRANSIENT MERCHANT LICENSE, WHICH SHALL BE CONSPICUOUSLY POSTED IN HIS PLACE OF BUSINESS.)

(b) It is the responsibility of the licensee to assure that the approval of the city for each specific location to be used in the business is clearly listed on any license issued pursuant to this article.

Sec. 17 - 790. Exceptions.

The provisions of this article shall not apply to sales made to dealers by commercial agents in the usual course of business nor to bona fide sale of goods, wares or merchandise by sample for future delivery or to sheriffs, constables, or other public officers selling merchandise according to law, nor to bona fide assignees or receivers appointed in the state of Indiana selling goods, wares and merchandise for the benefit of creditors.

Sec. 17 - 791. Prohibited Practices.

(a) It shall be unlawful for any transient merchant to make exclusive use of any location on any street, alley, sidewalk or right of way for the purpose of selling or displaying any goods, wares or merchandise.

(b) It shall be unlawful for any transient merchant to operate in a congested area where such operation may impede or inconvenience the public use of any street, alley, sidewalk or right of way. For the purpose of this article, the judgment of a police officer, exercised in good faith, is conclusive as to whether the area is congested and the public impeded or inconvenienced.

(c) It shall be unlawful for any transient merchant to display signs except in accordance with Marion County zoning and signage regulations.

Sec. 17 - 792. Violations and penalties.

(a) Any violation of this article shall be subject to the penalties of Section 1-8 of this Code.

- (b) Any sworn police officer of the city or of the county shall require any person operating as a transient merchant and who is not known by such officer to be duly licensed to produce such license and shall enforce the provisions of this article against any person found to be violating the provisions of this article.
- (c) Any sworn police officer may confiscate any property sold or offered for sale in violation of this article.

**SECTION 2.** (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 of liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

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

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

PROPOSAL NO. 321, 1986. This proposal approves a county Position Evaluation and Salary Administration Plan for Marion County. The County and Townships Committee on June 17, 1986, recommended Proposal No. 321, 1986, Do Pass by a 4-0-1 vote. Councillor Cottingham moved, seconded by Councillor Bradley, for adoption.

Councillor Curry voiced opposition to the appeal process provided in the new Plan, stating that he had hoped that the process could incorporate both city departments and county agencies rather than having separate appeal processes.

Councillor Williams noted that the Councillors had received a manual initiated by Judge Dugan entitled "Official Job Descriptions of the Marion County Court System 1986". Since the Court's manual included information regarding job descriptions, it was Councillor Williams' opinion that the Court's manual was more thorough than the document provided by Resource Management Consultants in conjunction with Proposal No. 321, 1986.

Councillor Williams moved, seconded by Councillor Howard, to send Proposal No. 321, 1986, back to committee.

Councillor West noted that the task of Resource Management Consultants was to provide a factoring system and that the job descriptions would be done later.

Mrs. Faye Mowery, Marion County Auditor, confirmed Councillor West's statement and clarified that the Court's manual was prepared by the Courts, not Resource Management Consultants.

It was reported to the County and Townships Committee during the June 17, 1986, hearing that certain county agencies had not participated in the gathering of information, surveys, etc. for the report issued by Resource Management Consultants. Mrs. Mowery stated that since the Committee's hearing, all county agencies have agreed to participate.

Mrs. Mowery asked the Council to approve Proposal No. 321 because of the urgency of the preparation of 1987 Budgets.

Councillor William's motion to send Proposal No. 321, 1986, back to committee failed on the following roll call vote; viz:

6 AYES: *Boyd, Curry, Hawkins, Howard, Journey, Williams*

23 NAYS: *Borst, Bradley, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Holmes, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

Councillor Borst noted that the media was reporting that it would take \$4.5 million to adjust salaries of county employees in the new Plan and that the reported amount seems to be inaccurate. He asked Mrs. Mowery to comment on the media's reports.

Mrs. Mowery explained that the media's inaccurate calculation of \$4.5 million was derived by multiplying the total number of county employees by 8%. Mrs. Mowery clarified that the actual calculation is a great deal lower. The 1987 Budget guidelines as authorized by the Auditor will allow a 5% increase in Character 01

followed by a possible 3% increase for "salary equalization" as provided by the new Plan. Some positions may not need the full 3% to "be equalized", and others may need more than 3%. Mrs. Mowery calculated the total amount needed for the "3% equalization" to be about \$1.5 million.

Proposal No. 321, 1986, was adopted on the following roll call vote; viz:

22 AYES: *Bradley, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Shaw, Stewart, Strader, West*

7 NAYS: *Borst, Boyd, Curry, Howard, Schneider, SerVaas, Williams*

Proposal No. 321, 1986, was retitled GENERAL RESOLUTION NO. 6, 1986, and reads as follows:

**CITY-COUNTY GENERAL RESOLUTION NO. 6, 1986**

**A GENERAL RESOLUTION approving a Position Evaluation and Salary Administration Plan for Marion County.**

**WHEREAS, the City-County Council, through City-County General Resolution No. 1, 1986, approved and directed that a position evaluation and classification be accomplished for county and township offices, agencies and courts; and**

**WHEREAS, City-County General Resolution No. 1, 1986, created a County Personnel Board to direct and supervise such position evaluation and classification; and**

**WHEREAS, the County Personnel Board utilized the consultant services of Resource Management Consultants to perform the evaluation and to adopt a comprehensive Position Evaluation and Salary Administration Plan; and**

**WHEREAS, the County Personnel Board has approved the Comprehensive Position Evaluation and Salary Administration Plan; now, therefore:**

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

**SECTION 1. The City-County Council hereby approves and accepts the Position Evaluation and Salary Administration Plan, attached hereto as Exhibit 1, developed by Resource Management Consultants for Marion County. Such Plan contains detailed policies and procedures for setting wage and salary rates and classifications for all employees of the County. In accordance with the contract between Marion County and Resource Management Consultants, Resource Management Consultants will be available to service the Position Evaluation and Salary Administration Plan as necessary for one (1) year following the implementation of the Plan. After implementation by the County, the Plan, as well as records showing its implementation shall be on file in the office of the County Auditor, who is chairperson of the County Personnel Board.**

**SECTION 2.** The City-County Council hereby authorizes Marion County to utilize such system of wage classification and administration for incorporation in its 1987 budget.

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

Councillor SerVaas stated that he voted "Nay" vote on Proposal 321, 1986, because a great disparity exists between County and City employees through hours worked and fringe benefits. In addition, a number of years ago, a system of unified government was designed; however, separate personnel processes and separate appeals boards exist for City and County employees. It was Councillor SerVaas' opinion that "we have lost our original goal".

#### ANNOUNCEMENTS AND ADJOURNMENT

Councillor Miller introduced Mr. Jack Hartnett, the new Fiscal Analyst for the City-County Council.

Councillor SerVaas announced that the Community Development Task Force needed volunteers from the Council. He asked Councillors who wished to volunteer to see Ms. Beverly Ripsey, City Clerk.

Councillor SerVaas stated that one problem in Marion County is that of parking. He added that he had asked Councillor Borst, Chairman of the Metropolitan Development Committee, to hold hearings to discuss parking problems. Also, a new task force has been formed to investigate parking problems. The members of the task force are: Messrs. Don McPherson, David Carley, John Krauss and Fred Madorin.

Councillor Borst announced that the Metropolitan Development Committee would meet at 3:30 p.m. rather than 4:00 p.m. on Wednesday, June 25, 1986.

There being no further business, upon motion duly made and seconded the meeting adjourned at 9:41 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 23rd day of June, 1986.

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

  
President

ATTEST:

  
Clerk of the Council

(SEAL)