

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

**REGULAR MEETINGS
MONDAY, OCTOBER 22, 1990**

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 7:08 p.m. on Monday, October 22, 1990, with Councillor SerVaas presiding.

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

ROLL CALL

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

28 PRESENT: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams
1 ABSENT: Rhodes

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Clark introduced Michael Gingrich, a Franklin High School student, and his father, Donald. Councillor Clark also introduced State Legislatures Gene Leeuw and Brian Bosma.

President SerVaas introduced Mary Buckler, Marion County Treasurer, who stated that Marion County had been the recipient of an award from the Association of Indiana Counties for establishing the Juvenile Center which the Association feels is one of the best solutions to the costly problem of detaining juvenile offenders. Ms. Buckler presented this award to Judge James Payne, Superior Court, Juvenile Division.

Councillor Irvin introduced Gale Gehlhausen, President of the West Indianapolis Neighborhood Congress (WINC).

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, October 22, 1990, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

October 8, 1990

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, October 11, 1990, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 576, 578, 579, 580 and 581, 1990, to be held on Monday, October 22, 1990, at 7:00 p.m., in the City-County Building.

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

October 8, 1990

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, October 11, 1990, a copy of NOTICE OF PUBLIC HEARING on Proposal No. 598, 1990, to be held on Monday, October 22, 1990, at 7:00 p.m., in the City-County Building.

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

October 8, 1990

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

October 22, 1990

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, October 11, 1990, a copy of LEGAL NOTICE on General Ordinance No. 124, 1990.

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

October 12, 1990

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-Dick, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 96, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Six Thousand Two Hundred One Dollars (\$6,201) in the County General Fund for purposes of the County Sheriff/Prosecuting Attorney and reducing certain other appropriations for those offices.

FISCAL ORDINANCE NO. 97, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Two Hundred Fifty-two Thousand Fifty-three Dollars (\$252,053) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 98, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Two Hundred Thirty-three Thousand Five Hundred Dollars (\$233,500) in the Public Safety Interest Escrow for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Public Safety Interest Escrow.

FISCAL ORDINANCE NO. 99, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Twenty-six Thousand Five Hundred Dollars (\$26,500) in the Consolidated County Fund for purposes of the Department of Administration Internal Audit Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 100, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Forty-seven Thousand Three Hundred Sixty-one Dollars (\$147,361) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

FISCAL ORDINANCE NO. 101, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Eleven Thousand Dollars (\$11,000) in the County Grant Fund for purposes of the Superior Court Juvenile Division and reducing the unappropriated and unencumbered balance in the County Grant Fund, Run for Youth event.

FISCAL ORDINANCE NO. 102, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Four Hundred Forty-one Dollars (\$441) in the Life Skills Educational Program for purposes of the Superior Court Juvenile Division and reducing certain other appropriations for that Division.

GENERAL ORDINANCE NO. 130, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 2-230, City Market.

GENERAL ORDINANCE NO. 131, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 132, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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GENERAL ORDINANCE NO. 133, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 134, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 135, 1990, concerning taxi fares.

SPECIAL ORDINANCE NO. 16, 1990, authorizing the execution by the City of Indianapolis of an Equipment Lease for a Public Safety Communications System with the Indianapolis-Marion County Building Authority.

SPECIAL RESOLUTION NO. 59, 1990, concerning Larry Dunville.

SPECIAL RESOLUTION NO. 60, 1990, concerning Gleaners Food Bank.

SPECIAL RESOLUTION NO. 61, 1990, concerning Wal-Mart Stores.

SPECIAL RESOLUTION NO. 62, 1990, concerning Little Eagle Creek and Thatcher Park Community Center cleanup.

SPECIAL RESOLUTION NO. 63, 1990, concerning domestic violence.

SPECIAL RESOLUTION NO. 64, 1990, authorizing the lease of 7320 square feet of office space located at 4925 South Shelby Street, Indianapolis, Indiana, for the Marion County Sheriff's Department.

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

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

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

PROPOSAL NO. 624, 1990. This proposal concerns the October 6, 1990 White River cleanup and acknowledges certain people involved with the project. Councillor Irvin read the resolution and presented framed documents to Pat Stevens, Art Strong, George Lynch and Jennifer Johnson. Mr. Stevens expressed the group's appreciation for the recognition. Councillor Irvin moved, seconded by Councillor West, for adoption. Proposal No. 624, 1990 was adopted by unanimous voice vote.

Proposal No. 624, 1990, was retitled SPECIAL RESOLUTION NO. 65, 1990, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1990

A SPECIAL RESOLUTION concerning the October 6, 1990, White River cleanup.

WHEREAS, On October 6, 1990, the banks of Indianapolis' White River between Washington Street and Raymond Street were given a major cleanup of illegally dumped trash; and

WHEREAS, during that day, 120.4 tons of trash was removed to the city's mass burn incinerator; now, therefore:

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

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SECTION 1. The Indianapolis City-County Council commends all those who participated in the successful October 6, 1990, cleanup of White River's banks.

SECTION 2. The Council specifically recognizes the involvement of The Indianapolis city Departments of Public Works, Transportation and Parks & Recreation; the Indianapolis Clean City Committee; the 450 persons who volunteered to work on that day, many of whom were Boy Scouts and Girl Scouts; and the following businesses: IPL, Logo 7, Methodist Hospital, Polar Ice, Reilly Industries, Curtis Publishing, The Wholesale Club, Bunzl U.S.A., Coca-Cola Bottling Company, Indianapolis Water Company, National Starch & Chemical, Martz & Associates, RSR Corporation, BFI Waste Systems and Kroger.

SECTION 3. Combining the results of this cleanup with a similar cleanup in the spring of 1990, a total of 366.5 tons of trash--over forty trash truck loads--have been cleaned up from the banks of White River this year as a result of the excellent cooperation of the city, private businesses and individual citizens who all care about the environment in Indiana's capitol city.

SECTION 4. The Council urges the city to redouble its efforts to apprehend and punish those irresponsible and illegal persons who dump trash within Marion County, and to continue its volunteer cleanup mobilizations in an effort to establish the White River Green Way along the banks of White River.

SECTION 5. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

Councillor Irvin stated that Ruth Hayes and he will co-chair the White River Task Force with the following members: John C. Meade, James Teer, Steffani R. White, Ken Giffin, Kevin Hardie, Greg Dye, Bill Moldenhauer, Elias Bloom, Karl Glander, David Harling, Kevin Strunk and David Jones.

PROPOSAL NO. 625, 1990. This proposal concerns recipients of the Purple Heart Medal. Councillor Curry read the resolution and presented a framed document to William L. Curry, Department Commander of the Military Order of the Purple Heart, who expressed his appreciation to the Council for the resolution. Councillor Curry moved, seconded by Councillor Cottingham, for adoption. Proposal No. 625, 1990 was adopted by unanimous voice vote.

Proposal No. 625, 1990 was retitled SPECIAL RESOLUTION NO. 66, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 1990

A SPECIAL RESOLUTION concerning recipients of the Purple Heart Medal.

WHEREAS, George Washington, Commander-in-Chief of the Continental Army, and the first President of the United States, established in 1782 a purple cloth badge of merit for servicemen who displayed unusual gallantry during the War of Independence; and

WHEREAS, the Purple Heart decoration which bears a profile of General Washington was re-established in 1932 to recognize those persons in the armed forces of the United States who shed blood during conflicts as a result of enemy action; and

WHEREAS, hundreds of thousands of American servicemen and women have been awarded the Purple Heart Medal as a recognition of their personal sacrifices to protect the American way of life; and

WHEREAS, men and women sharing the award of this medal, the Purple Heart, have banded together in chapters of the MILITARY ORDER OF THE PURPLE HEART; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes, applauds and honors those Americans, living and dead, who have shed blood in the defense of American ideals and who have been awarded the Purple Heart military decoration.

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SECTION 2. The Council extends its special recognition to the Norm Clapper Chapter 578 of the MILITARY ORDER OF THE PURPLE HEART in Indianapolis.

SECTION 3. The Council calls upon all citizens to offer honor, recognition and respect to those persons who have been awarded the Purple Heart Medal.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

President SerVaas passed the gavel to Councillor West.

PROPOSAL NO. 626, 1990. This proposal concerns Dorothy Petroskey, an Indianapolis Star news reporter, who is being transferred from the City-County area to another news area in the City. President SerVaas read the resolution and with Councillors West and Williams presented a framed document to Mrs. Petroskey, who expressed her appreciation for the recognition. President SerVaas moved, seconded by Councillor West, for adoption. Proposal No. 626, 1990 was adopted by unanimous voice vote.

Proposal No. 626, 1990 was retitled SPECIAL RESOLUTION NO. 67, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1990

A SPECIAL RESOLUTION concerning Dorothy Petroskey.

WHEREAS, Mrs. Dorothy Petroskey covered the City Hall beat, including the City-County Council, for the "Indianapolis Star" from March, 1984, to November, 1990; and

WHEREAS, the fourth estate's job is to make the workings of government known to the public, which sometimes can make government officials uncomfortable that such information may not be relayed in a straightforward manner; and

WHEREAS, despite this natural obstacle, Mrs. Petroskey worked diligently and conscientiously to report factual information, secure views on both sides of questions and used other good journalism practices, which aids in a strengthened democracy and a free society; now, therefore:

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

SECTION 1. The Indianapolis City-County Council pauses to recognize Mrs. Dorothy Petroskey for her commendable work as a City Hall reporter for the "Indianapolis Star" during the past six years.

SECTION 2. The Council wishes Mrs. Petroskey success in her future general assignment reporting at the "Star" City Desk, and invites her to remain in touch with her friends at the Council, both professionally and personally.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

Councillor West returned the gavel to President SerVaas.

PROPOSAL NOS. 601, 602, 603, 604 and 605, 1990. President SerVaas asked for consent to vote on the five Youth Commission proposals together. Consent was given. PROPOSAL NO. 601, 1990. The proposal appoints J. Byron Jensen to the Marion County Commission on Youth. PROPOSAL NO. 602, 1990. The proposal appoints Jeff Roberts to the Marion County Commission on Youth. PROPOSAL NO. 603, 1990. The proposal appoints Mary Alice Buckler to the Marion County Commission on Youth. PROPOSAL

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NO. 604, 1990. The proposal appoints Choice Edwards to the Marion County Commission on Youth. PROPOSAL NO. 605, 1990. The proposal appoints Patricia Nickell to the Marion County Commission on Youth. Councillor Strader reported that the Community Affairs Committee heard these proposals on October 17, 1990. By a 5-0 vote, the Committee reported Proposal Nos. 601, 602, 603 and 605, 1990 to the Council with the recommendation that they do pass. By a 4-0-1 vote, the Committee reported Proposal No. 604, 1990 to the Council with the recommendation that it do pass. Councillor Strader moved, seconded by Councillor Mukes-Gaither, for adoption.

Councillor Williams asked (1) if any of these appointees reside in the inner city or are active with inner city youth and (2) if any of them are members of the minority party. Councillor Strader responded that he did not question the appointees' political affiliations and said that he was only concerned if they were going to be active and serve the inner city youth through the Youth Commission projects.

Councillor Howard stated that he also understood that the Council appointees to the Youth Commission were going to be non-partisan appointees.

Councillor Clark said that he supports the five appointees to the Youth Commission, and Councillor West added that the five appointees are well-qualified to serve on the Youth Commission.

Proposal No. 601, 602, 603, 604 and 605, 1990 were adopted by unanimous voice vote.

Proposal No. 601, 1990 was retitled COUNCIL RESOLUTION NO. 69, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 1990

A COUNCIL RESOLUTION appointing J. Byron Jensen to the Marion County Commission on Youth.

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 Marion County Commission on Youth, the Council appoints:

J. Byron Jensen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 602, 1990 was retitled COUNCIL RESOLUTION NO. 70, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 70, 1990

A COUNCIL RESOLUTION appointing Jeff Roberts to the Marion County Commission on Youth.

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 Marion County Commission on Youth, the Council appoints:

Jeff Roberts

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SECTION 2. The appointment made by this resolution is for a term ending December 31, 1991. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 603, 1990 was retitled COUNCIL RESOLUTION NO. 71, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 1990

A COUNCIL RESOLUTION appointing Mary Alice Buckler to the Marion County Commission on Youth.

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 Marion County Commission on Youth, the Council appoints:

Mary Alice Buckler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1992. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

Proposal No. 604, 1990 was retitled COUNCIL RESOLUTION NO. 72, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 72, 1990

A COUNCIL RESOLUTION appointing Choice Edwards to the Marion County Commission on Youth.

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 Marion County Commission on Youth, the Council appoints:

Choice Edwards

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1992. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 605, 1990 was retitled COUNCIL RESOLUTION NO. 73, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 73, 1990

A COUNCIL RESOLUTION appointing Patricia Nickell to the Marion County Commission on Youth.

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 Marion County Commission on Youth, the Council appoints:

Patricia Nickell

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1992. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

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INTRODUCTION OF PROPOSALS

PROPOSAL NO. 606, 1990. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the lease of approximately 7,000 square feet of office space located at 5800 Lafayette Road for the Marion County Municipal Court #14"; and the President referred it to the Administration Committee.

PROPOSAL NO. 607, 1990. Introduced by Councillors Howard, Hawkins, Holmes and Shaw. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending City-County Fiscal Ordinance No. 95, 1990 to modify committee compensation for councillors for 1991"; and the President referred it to the Administration Committee.

PROPOSAL NO. 608, 1990. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Stephanie Prichard to the Marion County Commission on Youth"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 609, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$760 for the Washington Township Assessor to purchase office chairs"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 610, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$6,300 for the Warren Township Assessor to pay for a monthly rent increase through the end of 1990"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 611, 1990. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$150,000 for the Department of the Metropolitan Development, Planning Division, to share expenses equally with the State, Hendricks County, Department of Transportation and the Indianapolis International Airport for an I-70/Bridgeport Road interchange study"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 612, 1990. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 613, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Chapter 3, Article IV, Division 3, Firefighters Merit System"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 614, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$226,500 for the Sheriff to pay for (1) food service for jail inmates through the end of 1990 and (2) repair charges for the Sheriff's vehicles"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 615, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$70,472 for the Sheriff to continue the Victim Assistance Program and the Child Abuse Awareness Program to be funded by two grants from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 616, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$400,000 for the Justice Agency, Prosecutor, Sheriff and Auditor to continue the fourth year of shared funding of the Metro Drug Task Force Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 617, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$63,748 for the Justice Agency to continue the Drug Use Forecasting Program which is funded by a grant from the National Institute of Justice"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 618, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 3-way stop at the intersection of Sherman Drive and Thompson Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 619, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 4-way stop at the intersection of Moller Road and 46th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 620, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 35 MPH speed limit on Guion Road from 30th Street to 38th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 621, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 35 MPH speed limit on Tibbs Avenue from 16th Street to 30th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 622, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing weight limit restrictions on a segment of Roache Avenue and on a segment of 25th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 623, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on Dunlap Avenue from Minnesota Street to Plainfield Avenue"; and the President referred it to the Transportation Committee.

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SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 627-628, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 19, 1990. The Council did not schedule Proposal Nos. 627 and 628, 1990 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 627 and 628, 1990 were retitled REZONING ORDINANCE NOS. 177 and 178, 1990 and are identified as follows:

REZONING ORDINANCE NO. 177, 1990. 90-Z-145 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8
4530 NORTH LAFAYETTE ROAD, INDIANAPOLIS.
CAR CARE USA, INC., by Michael F. Powers, requests the rezoning of 8.584 acres, being in the C-4 district, to the C-5 classification to provide for the construction of a car wash.

REZONING ORDINANCE NO. 178, 1990. 90-Z-166 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
7620-7662 SOUTH HIGHWAY US 31, INDIANAPOLIS.
EUGENE and JUANITA BROWN, MARVIN CHRISTIE, ROBERT and NIVIA ROSS, JERRY HOLLOWAY and RITA K. EWERS, by Ray Good, request the rezoning of 2.86 acres, being in the D-2 district, to the C-1 classification to provide for commercial development.

PROPOSAL NOS. 629-639, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 19, 1990. The Council did not schedule Proposal Nos. 629-639, 1990 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 629-639, 1990 were retitled REZONING ORDINANCE NOS. 179-189, 1990 and are identified as follows:

REZONING ORDINANCE NO. 179, 1990. 90-Z-128 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15
6015 and 6035 EAST 14TH STREET, INDIANAPOLIS.
JOHN P. MERCHO requests the rezoning of 1.0 acres, being in the D-5 district and D-12 districts, to the C-1 classification to provide for the development of a professional office complex.

REZONING ORDINANCE NO. 180, 1990. 90-Z-148 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
3421 NORTH GERMAN CHURCH ROAD (REAR), INDIANAPOLIS.
CHERRY LAKE DEVELOPMENT CORPORATION requests the rezoning of 10 acres, being in the SU-18 district, to the D-3 classification to provide for the development of single-family homes.

REZONING ORDINANCE NO. 181, 1990. 90-Z-149 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
11450 EAST 30TH STREET (REAR), INDIANAPOLIS.
CHERRY LAKE DEVELOPMENT CORPORATION requests the rezoning of 6.31 acres, being in the D-A district, to the D-3 classification to provide for the development of single-family homes.

REZONING ORDINANCE NO. 182, 1990. 90-Z-156 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15
1202 NORTH ARLINGTON AVENUE, INDIANAPOLIS.
SUMMIT BANK OF INDIANAPOLIS, by Mary E. Solada, requests the rezoning of 0.13 acre, being in the D-4 district, to the C-1 classification to provide for the expansion of an existing bank.

REZONING ORDINANCE NO. 183, 1990. 90-Z-159 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
3615 KENTUCKY AVENUE, INDIANAPOLIS.
MARSH SUPERMARKETS, INC., by Thomas Michael Quinn, requests the rezoning of 8.97 acres, being in the C-4, C-3 and D-3 district, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 184, 1990. 90-Z-160 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3

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10809 PENDLETON PIKE, INDIANAPOLIS.

PETER and VIOLET MANSOUR, by Thomas Michael Quinn, request the rezoning of 8.235 acres, being in the D-A district, to the C-4 classification to provide for a retail shopping center.

REZONING ORDINANCE NO. 185, 1990. 90-Z-173 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 9

1406-1422 WEST 30TH STREET, INDIANAPOLIS.

RICHARD S. PEINE, by Robert Wildman, requests the rezoning of 1.4 acres, being in the C-7 district, to the I-2-U classification to provide for the construction of a 120 foot x 60 foot building for an engineering office and warehouse for a heating and cooling contractor.

REZONING ORDINANCE NO. 186, 1990. 90-Z-174 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21

1419-1427 WILLIAMS STREET, INDIANAPOLIS.

INDIANAPOLIS POWER & LIGHT COMPANY requests the rezoning of 0.788 acre, being in the I-3-U district, to the SU-18 classification to provide for the construction of an electrical substation.

REZONING ORDINANCE NO. 187, 1990. 90-Z-175 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19

6315 WEST WASHINGTON STREET, INDIANAPOLIS.

ENTERPRISE LSG. CO. OF INDIANAPOLIS, INC. requests the rezoning of 0.968 acre, being in the C-5 and D-3 districts, to the C-5 classification to provide for the development of an Administration/Auto Rental Branch.

REZONING ORDINANCE NO. 188, 1990. 90-Z-176 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13

10550 SOUTHEASTERN AVENUE, INDIANAPOLIS.

UNITED METHODIST SOUTH INDIANA CONFERENCE, INC., by Basil H. Lorch, Jr., requests the rezoning of 4.166 acres, being in the D-A district, to the SU-1 classification to provide for future development for the church.

REZONING ORDINANCE NO. 189, 1990. 90-Z-177 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15

6643 EAST WASHINGTON STREET, INDIANAPOLIS.

BRIAN E. NUNLEY, D.D.S. requests the rezoning of 0.654 acre, being in the D-5 district, to the C-1 classification to provide for a dentist office within an existing building.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 598, 1990. This proposal is a rezoning ordinance for certain property in Warren Township, Councilmanic District 12, located at 1701 North Mitthoefer Road. Proposal No. 598, 1990 was certified by the Metropolitan Development Commission on October 5, 1990. On October 8, 1990 the Council voted to schedule a public hearing for October 22, 1990. Councillor Solenberg reported that the petitioner had agreed to a continuance of the public hearing and moved that Proposal No. 598, 1990 be postponed until November 12, 1990:

CITY-COUNTY COUNCIL MOTION

Mr. President:

The attorney for the petitioner in rezoning docket 90-Z-126 (Proposal No. 598, 1990) has consented to an extension of the final action date and agreed with the remonstrators to postpone the public hearing on that proposal until our meeting on November 12, 1990.

I move that the final action date on Proposal No. 598, 1990 (Docket No. 90-Z-126) be extended and the public hearing postponed until the regular meeting of this Council on November 12, 1990.

Councillor John Solenberg

By Consent the motion was adopted.

PROPOSAL NO. 542, 1990. The proposal is a rezoning ordinance for certain property in Lawrence Township, Councilmanic District 5, located at 6102 East 86th Street. Proposal No. 542, 1990 was certified by the Metropolitan Development Commission on September 7, 1990. On September 10, 1990 the Council voted to schedule a public hearing for September 24, 1990. On that date, with consent of petitioner, the hearing was postponed until October 22, 1990. President SerVaas informed the Council that Stephen D. Mears, attorney for the petitioner, had just notified him that the petitioners wished to withdraw their petition for rezoning of the property at 6102 East 86th Street. Mr. Mears then asked to withdraw the proposal on behalf of the petitioners.

Robert G. Elrod, General Counsel, advised the Council that there is no provision in state law permitting withdrawal of a rezoning ordinance certified to the Council. Even though the petitioner has requested withdrawal, the ordinance may be deemed adopted as of this date if the Council does not act to reject the ordinance. However, the provision in the statute governing these proceedings states that if this Council rejects the ordinance, it is defeated. Councillor Solenberg moved, seconded by Councillor Clark, to reject Proposal No. 542, 1990.

[Councillor Rhodes arrived at this time.]

Councillor Durnil asked if the proposal could be defeated without prejudice, which would waive the time limit for refileing on this property. Mr. Elrod replied that there is no time limit in the Council's rules. The time limit is in the Commission's rules, and it would be up to the Commission to decide if its rule applies to this property under these circumstances.

President SerVaas ruled that the Council should vote on the adoption of Proposal No. 542, 1990, not on the motion to reject. He instructed the Council that if they wished to reject the Commission's recommendation, to vote "red" (nay), and if they wished to sustain the Commission's recommendation to vote "green" (yea). Proposal No. 542, 1990 was defeated on the following roll call vote; viz:

0 YEAS:

29 NAYS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NOT VOTING:

PROPOSAL NO. 555, 1990. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 555, 1990 on October 16, 1990. The proposal approves the issuance of bonds of the Redevelopment District in an aggregate issued amount not to exceed \$36,000,000. The Redevelopment District, which is also called the Harding Street Redevelopment Project, is part of the Eli Lilly & Company expansion on the near southside of the City. The boundaries of the Harding Project are I-70 on the north, Harding Street on the west, White River on the east and Raymond Street on the south. The issuance of bonds is for the purpose of procuring funds to pay for the cost of property acquisition and redevelopment of the Harding Street Project. Councillor Borst also stated that the Committee stressed that the City should give individual attention to the businesses and residents who are going to be displaced by the Lilly expansion. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Borst moved, seconded by Councillor Brooks, for adoption.

The President called for public testimony at 8:22 p.m.

Mr. Gehlhausen testified that WINC supports the bond issue contingent on (1) a social impact study as conducted by three local university professors and (2) for the Council to retain oversight of this project.

Doug May, who lives at 1406 South Harding Street, stated that he expects to lose his home due to the Lilly expansion, and is concerned because he has been told by the City that he has over-invested in his home and will not be fully compensated. He urged the Council not to abrogate its responsibility to the displaced businesses and residents in this area.

Timothy Mayer, associate professor of Sociology at the University of Indianapolis, urged the Council to conduct a social impact study of the area.

Bill Brown, Mary Riggs Community Center board member, stated that the Center supports the Lilly expansion, but reminded the Council that 83% of the people who live in that area are at or below poverty level and cannot afford to be relocated. He believes this Council must be sensitive to the people and to their needs.

Councillor McGrath stated that he would support a social impact study conducted by the three local university professors rather than a study conducted by a local government agency.

Councillor Irvin suggested that instead of taking the west side of Harding Street for the six-lane thoroughfare, the east side be taken instead which would mean fewer businesses and homes would have to be displaced.

Proposal No. 555, 1990, was adopted on the following roll call vote; viz:

29 YEAS: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams
0 NAYS:

Proposal No. 555, 1990 was retitled GENERAL RESOLUTION NO. 12, 1990 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 12, 1990

A GENERAL RESOLUTION approving the issuance of bonds of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues, in an aggregate issued amount not to exceed Thirty Six Million (\$36,000,000).

WHEREAS, on September 19, 1990, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the "District") pursuant to the provisions of IC 36-7-15.1 and IC 36-7-25 (collectively, the "Act") adopted its Preliminary Bond Resolution, Amended Harding Street Redevelopment Project Area, Resolution No. 90-239 (the "Preliminary Bond Resolution"), authorizing the issuance of special taxing district bonds of the District in one or more series or issues, payable solely out of taxes on real property located in the Harding Street Redevelopment Project Allocation Area (the "Allocation Area") allocated and deposited in the Harding Street Redevelopment Project Allocation Area Fund (the "Allocation Fund") pursuant to the provisions of the Act, in an aggregate issued amount not to exceed Thirty Six Million Dollars (\$36,000,000) (the "Bonds") for the purpose of procuring funds to pay for the cost of property acquisition and redevelopment in the Allocation Area, including all expenses reasonably incurred in connection with the acquisition and redevelopment of the property, including the total cost of all land, rights-of-way and other property to be acquired and redeveloped, all reasonable and necessary

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architectural, engineering, legal, financing, accounting, advertising, bond discount, and supervisory expenses related to the acquisition and redevelopment of the property or the issuance of the Bonds, capitalized interest permitted by the Act and a debt service reserve for the Bonds, to the extent that the Commission determines that a reserve is reasonably required, the total cost of all clearing and construction work and expenses that the Commission may be required to pay under IC 8-23-17, together with the expenses in connection with or on account of the issuance of the Bonds authorized therein (collectively, the "Project Costs"); and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the Bonds pursuant to IC 36-3-5-8, and the City-County Council now finds that the issuance of the Bonds should be approved; now, therefore:

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

SECTION 1. The City-County Council does hereby approve the Preliminary Bond Resolution adopted by the Commission on September 19, 1990, authorizing the issuance of the Bonds for the purpose of procuring funds to pay the Project Costs.

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

President SerVaas passed the gavel to Councillor West.

President SerVaas asked Councillor Irvin to monitor the City's activities with the acquisition of the land in the Lilly expansion and to report to the Council of any miscarriage of justice.

Councillor West returned the gavel to President SerVaas.

PROPOSAL NO. 578, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 578, 1990 October 10, 1990. The proposal appropriates \$117,000 for the Presiding Judge of the Municipal Court to be used by the Municipal Court Probation Department for a Treatment Alternatives to Street Crimes program from a grant from the Indiana Criminal Justice Institute. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:53 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 578, 1990, was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Brooks, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Jones, Moriarty, Mukes-Gaither, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS:

4 NOT VOTING: *Clark, Irvin, McGrath, Rhodes*

Proposal No. 578, 1990 was retitled FISCAL ORDINANCE NO. 103, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Seventeen Thousand Dollars (\$117,000) in the State and Federal Grants Fund for purposes of the Presiding Judge of the Municipal Courts 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 (bb) of the City-County Annual Budget for 1990, be and is hereby amended by the

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increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Courts to appropriate second year funding (Grant Date: 10-1-90 to 9-30-91), from the Indiana Criminal Justice Institute, to be used for Treatment Alternatives to Street Crimes (TASC) by the Marion County Municipal Court Probation Department.

SECTION 2. The sum of One Hundred Seventeen Thousand Dollars (\$117,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>		<u>STATE & FEDERAL GRANTS FUND</u>
1. Personal Services		\$ 60,200
3. Other Services and Charges		45,663
 <u>COUNTY AUDITOR</u>		
1. Personal Services (Fringes)		<u>11,137</u>
TOTAL INCREASE		\$117,000

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

	<u>STATE & FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State & Federal Grants Fund	<u>\$117,000</u>
TOTAL REDUCTION	\$117,000

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

PROPOSAL NO. 579, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 579, 1990 on October 10, 1990. The proposal appropriates \$100,000 for the Forensic Services Agency to pay for the construction costs of a DNA Analysis Laboratory located at 147 East Maryland Street. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:56 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 579, 1990, was adopted on the following roll call vote; viz:

- 21 YEAS: *Borst, Boyd, Brooks, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Holmes, Howard, Jones, Moriarty, Mukes-Gaither, Ruhmkorff, Schneider, SerVaas, Shaw, West, Williams*
- 0 NAYS:
- 8 NOT VOTING: *Clark, Durnil, Hawkins, Irvin, McGrath, Rhodes, Solenberg, Strader*

Proposal No. 579, 1990 was retitled FISCAL ORDINANCE NO. 104, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Thousand Dollars (\$100,000) provided by the Sheriff's Commissary Fund in the County General Fund for purposes of the Forensic Services 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:

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SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (y) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency to pay for the construction costs of a DNA Analysis Laboratory to be located at 147 East Maryland Street.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>\$100,000</u>
TOTAL INCREASE	\$100,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$100,000</u>
TOTAL REDUCTION	\$100,000

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

PROPOSAL NO. 580, 1990. The proposal appropriates \$161,173 for the Metropolitan Emergency Communications Agency to pay for renovation of the Public Safety Answering Point facility located in the City of Lawrence. Councillor Dowden asked for consent to strike Proposal No. 580, 1990. Consent was given.

PROPOSAL NOS. 535 and 581, 1990. Councillor Borst reported that the Metropolitan Development Committee heard Proposal Nos. 535 and 581, 1990 on October 16, 1990. PROPOSAL NO. 535, 1990. The proposal approves the establishment of an Economic Development Area at 86th Street and Zionsville Road. PROPOSAL NO. 581, 1990. The proposal approves the issuance of bonds of the Redevelopment District of the City, in one or more series or issues, in an aggregate issued amount not to exceed \$8,800,000. Councillor Borst asked for consent to make technical amendments to both proposals. Consent was given. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that they do pass as amended.

The President called for public testimony at 9:03 p.m. on Proposal No. 535, 1990. There being no one present to testify, Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal No. 535, 1990, as amended, was adopted on the following roll call vote: viz:

26 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Jones, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West, Williams*

0 NAYS:

3 NOT VOTING: *Irvin, McGrath, Solenberg*

Proposal No. 535, 1990, as amended, was retitled SPECIAL ORDINANCE NO. 17, 1990 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 17, 1990

A SPECIAL ORDINANCE approving the establishing of the 86th Street and Zionsville Road Economic Development Area.

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WHEREAS, on September 5, 1990, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission") adopted its 86th Street and Zionsville Road Economic Development Area Declaratory Resolution, Resolution No. 90-224 (the "Declaratory Resolution"), declaring a certain geographical area located within the Redevelopment District of the City of Indianapolis, Indiana, (the "Redevelopment District") as an economic development area pursuant to the provisions of IC 36-7-15.1 (the "Act") and designating said economic development area as the 86th Street and Zionsville Road Economic Development Area and approving an economic development plan for the area designated as the 86th Street and Zionsville Road Economic Development Area Plan (the "Plan"); and

WHEREAS, on October 3, 1990, the Commission, following a public hearing thereon upon notice as required by law, adopted its 86th Street and Zionsville Road Economic Development Area Confirmatory Resolution, Resolution No. 90-245 ("Confirmatory Resolution"), modifying the Declaratory Resolution by expanding the boundaries of the economic development area, amending the Plan, and declaring the economic development area as an allocation area for the purpose of distribution and allocation of property taxes, and confirming the Declaratory Resolution as so modified; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana, has determined that the designation of the 86th Street and Zionsville Road Economic Development Area and the planning, replanning, development and redevelopment of said area in accordance with the Plan as set forth in the Confirmatory Resolution are of public utility and benefit and are in the best interests of the citizens of the Redevelopment District and the City of Indianapolis; now therefore;

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

SECTION 1. The Council hereby approves the determination of the Commission establishing the 86th Street and Zionsville Road Economic Development Area as set forth in the Declaratory Resolution as modified and confirmed by the Confirmatory Resolution.

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

The President called for public testimony at 9:03 p.m. on Proposal No. 581, 1990. There being no one present to testify, Councillor Borst moved, seconded by Councillor Brooks for adoption. Proposal No. 581, 1990, as amended, was adopted on the following roll call vote; viz:

26 YEAS: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Jones, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West, Williams

0 NAYS:

3 NOT VOTING: Irvin, McGrath, Solenberg

Proposal No. 581, 1990, as amended, was retitled GENERAL RESOLUTION NO. 13, 1990 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 13, 1990

A GENERAL RESOLUTION approving the issuance of bonds of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues, in an aggregate issued amount not to exceed Eight Million Eight Hundred Thousand Dollars (\$8,800,000).

WHEREAS, on October 3, 1990, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), acting pursuant to the provisions of IC 36-7-15.1 and IC 36-7-25 (collectively, the "Act") adopted its Preliminary Bond Resolution, 86th Street and Zionsville Road Economic Development Area Resolution No. 90-248 (the "Preliminary Bond Resolution"), authorizing the issuance of special taxing district bonds of the District in one or more series or issues, payable solely out of taxes on real property located in the 86th Street and Zionsville Road Economic Development Allocation Area (the "Allocation Area") allocated and deposited in the 86th Street and Zionsville Road Economic Development Allocation Area Fund (the "Allocation Fund") pursuant to the provisions of the Act, in an aggregate issued amount not to exceed Eight Million Eight Hundred Thousand Dollars (\$8,800,000) (the "Bonds") for the purpose of procuring funds to pay for the cost of property acquisition

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and economic development in the Allocation Area, including all expenses reasonably incurred in connection with the acquisition and economic development of the property, including the total cost of all land, rights-of-way and other property to be acquired and developed, all reasonable and necessary architectural, engineering, legal, financing, accounting, advertising, bond discount, and supervisory expenses related to the acquisition and economic development of the property or the issuance of the Bonds, capitalized interest permitted by the Act and a debt service reserve for the Bonds, to the extent that the Commission determines that a reserve is reasonably required, the total cost of all clearing and construction work and expenses that the Commission may be required to pay under IC 8-23-17, together with the expenses in connection with or on account of the issuance of the Bonds authorized therein (collectively, the "Project Costs"); and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the Bonds pursuant to IC 36-3-5-8, and the City-County Council now finds that the issuance of the Bonds should be approved; now, therefore:

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

SECTION 1. The City-County Council does hereby approve the Preliminary Bond Resolution adopted by the Commission on October 3, 1990, authorizing the issuance of the Bonds for the purpose of procuring funds to pay the Project Costs.

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 298, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 298, 1990 on October 17, 1990. This proposal amends the Code concerning the keeping of ponies, horses, mules, donkeys and jackasses. Councillor Dowden moved, seconded by Councillor Curry, to strike Proposal No. 298, 1990.

Councillor Rhodes stated that Proposal No. 298, 1990 addresses a particular problem in his district and he asked Councillor Dowden if the proposal was going to be rewritten and resubmitted. Councillor Dowden replied that he did not know if the Animal Control Board was going to pursue this matter.

Proposal No. 298, 1990 was stricken on the following roll call vote; viz:

17 YEAS: Boyd, Brooks, Cottingham, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Irvin, Jones, McGrath, Moriarty, Ruhmkorff, Schneider, Shaw, Williams

9 NAYS: Clark, Coughenour, Dumil, Golc, Mukes-Gaither, Rhodes, SerVaas, Strader, West

3 NOT VOTING: Borst, Howard, Solenberg

PROPOSAL NO. 299, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 299, 1990 on October 17, 1990. The proposal amends the Code concerning the definition of veterinarian. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Dowden asked for consent to strike Proposal No. 299, 1990. Consent was given.

PROPOSAL NO. 300, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 300, 1990 on October 17, 1990. The proposal amends the Code concerning animal exhibitions. Proposal No. 300, 1990 was amended in Committee by deleting Section 2 which would have prohibited circuses, rodeos and the Indianapolis Police Mounted Patrol unit. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 300, 1990, as amended, was adopted on the following roll call vote; viz:

27 YEAS: *Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West, Williams*

0 NAYS:

2 NOT VOTING: *Borst, Solenberg*

Proposal No. 300, 1990, as amended, was retitled GENERAL ORDINANCE NO. 136, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 136, 1990

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Indiana, specifically Chapter 6, Article III, Division 4, Animal Exhibition Permits.

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

SECTION 1. SECTION 6-111 of the Code of Indianapolis and of Marion County, Indiana, is hereby amended by inserting the language underscored and deleting the language stricken through to read as follows:

Sec. 6-111. Application.

(a) The application for an animal exhibition permit required by this division shall:

- (1) describe the type of exhibition or contest and the kind and number of animals to be on exhibition or involved in the contest, and list the sites and dates of the events; and,
- (2) contain such other information as may be required under regulations of the controller, and a sworn statement by the applicant that the provisions of this chapter pertaining to animal exhibitions will be complied with at all times.

(b) No permit required by this division shall be issued until the applicant therefor completes the application, ~~and~~ pays the applicable fees and receives the written approval of the enforcing authority regarding the safety, well-being and comfort of the animals involved.

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(s), be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 573, 1990. Councillor Strader reported that the Community Affairs Committee heard Proposal No. 573, 1990 on October 17, 1990. The proposal transfers and appropriates \$5,000 for the Cooperative Extension Service to pay for increased supplies due to a one-time charge for computer software and increased 4-H program participation. By

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a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Strader moved, seconded by Councillor Mukes-Gaither, for adoption. Proposal No. 573, 1990, was adopted on the following roll call vote; viz:

26 YEAS: *Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Strader, West, Williams*

0 NAYS:

3 NOT VOTING: *Borst, Ruhmkorff, Solenberg*

Proposal No. 573, 1990 was retitled FISCAL ORDINANCE NO. 105, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Five Thousand Dollars (\$5,000) in the County General Fund for purposes of the Cooperative Extension Service 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 2.01 (xx) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Cooperative Extension Service to pay for increased computer software costs, and increased 4-H program participation.

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>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	<u>\$5,000</u>
TOTAL INCREASE	\$5,000

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

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services & Charges	<u>\$5,000</u>
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. 574, 1990. Councillor Cottingham reported that the County and Townships Committee heard Proposal No. 574, 1990 on October 9, 1990. The proposal transfers and appropriates \$4,000 for the Center Township Assessor to pay for construction improvements of their office space. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cottingham moved, seconded by Councillor Hawkins, for adoption. Proposal No. 574, 1990 was adopted on the following roll call vote; viz:

25 YEAS: *Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Rhodes, Schneider, SerVaas, Shaw, Strader, West, Williams*

0 NAYS:

4 NOT VOTING: *Borst, Mukes-Gaither, Ruhmkorff, Solenberg*

Proposal No. 574, 1990 was retitled FISCAL ORDINANCE NO. 106, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Four Thousand Dollars (\$4,000) in the County General Fund for purposes of the Center Township Assessor 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 2.01 (n) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Center Township Assessor to transfer funds for reallocation of office space.

SECTION 2. The sum of Four Thousand Dollars (\$4,000) 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>CENTER TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>\$4,000</u>
TOTAL INCREASE	\$4,000

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

<u>CENTER TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>\$4,000</u>
TOTAL REDUCTION	\$4,000

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

PROPOSAL NO. 575, 1990. Councillor Cottingham reported that the County and Townships Committee heard Proposal No. 575, 1990 on October 9, 1990. The proposal transfers and appropriates \$135,000 for the Marion County Healthcare Center to cover laundry service and contractual dietary service charges. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cottingham moved, seconded by Councillor Holmes, for adoption. Proposal No. 575, 1990 was adopted on the following roll call vote; viz:

26 YEAS: *Boyd, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West, Williams*

0 NAYS:

3 NOT VOTING: *Borst, Brooks, Solenberg*

Proposal No. 575, 1990 was retitled FISCAL ORDINANCE NO. 107, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional One Hundred Thirty-five Thousand Dollars (\$135,000) in the County General Fund for purposes of the Marion County Healthcare Center and reducing certain other appropriations for that Center.

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

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SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (L) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Healthcare Center to cover the cost of continued laundry service and contractual dietary service.

SECTION 2. The sum of One Hundred Thirty-five Thousand Dollars (\$135,000) 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>MARION COUNTY HEALTHCARE CENTER</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>\$135,000</u>
TOTAL INCREASE	\$135,000

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

<u>MARION COUNTY HEALTHCARE CENTER</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$ 10,000
4. Capital Outlay	<u>125,000</u>
TOTAL REDUCTION	\$135,000

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

PROPOSAL NO. 577, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 577, 1990 on October 10, 1990. The proposal transfers and appropriates \$29,000 for the Department of Public Safety, Animal Control Division, to pay for a computer-aided dispatch system. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 577, 1990 was adopted on the following roll call vote; viz:

26 YEAS: *Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West, Williams*

0 NAYS:

3 NOT VOTING: *Borst, Hawkins, Solenberg*

Proposal No. 577, 1990 was retitled FISCAL ORDINANCE NO. 108, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Twenty-nine Thousand Dollars (\$29,000) in the Consolidated County Fund for purposes of the Department of Public Safety Animal Control Division and reducing certain other appropriations for that Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety Animal Control Division to pay for a computer aided dispatch system.

SECTION 2. The sum of Twenty-nine Thousand Dollars (\$29,000) 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:

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DEPARTMENT OF PUBLIC SAFETY
ANIMAL CONTROL DIVISION

CONSOLIDATED COUNTY FUND

4. Capital Outlay	<u>\$29,000</u>
TOTAL INCREASE	\$29,000

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

DEPARTMENT OF PUBLIC SAFETY
ANIMAL CONTROL DIVISION

CONSOLIDATED COUNTY FUND

2. Supplies	\$ 4,000
3. Other Services & Charges	<u>25,000</u>
TOTAL REDUCTION	\$29,000

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

President SerVaas suggested placing Proposal No. 587, 584, 586 and 588, 1990 as the next items on the agenda.

PROPOSAL NO. 587, 1990. The proposal amends the Code by authorizing a change in the speed limit on 34th Street between Lafayette Road and High School Road. Councillor Gilmer asked for consent to strike Proposal No. 587, 1990. Consent was given.

PROPOSAL NOS. 584, 586 and 588, 1990. PROPOSAL NO. 584, 1990. This proposal amends the Code by authorizing a 4-way stop at the intersection of Churchman Avenue and Perkins Avenue. PROPOSAL NO. 586, 1990. This proposal amends the Code by authorizing parking restrictions on a segment of Illinois Street at 40th Street. PROPOSAL NO. 588, 1990. This proposal amends the Code by authorizing a 25 MPH speed zone within the Charter Pointe Subdivision. Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 584, 586 and 588, 1990 on October 17, 1990. By a 6-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Coughenour asked for consent to postpone action on on Proposal No. 584, 1990 until November 12, 1990. Consent was given.

Councillor Gilmer moved, seconded by Councillor McGrath, for adoption of Proposal Nos. 586 and 588, 1990. Proposal Nos. 586 and 588, 1990 were adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West, Williams*

0 NAYS:

2 NOT VOTING: *Irvin, Strader*

Proposal No. 586, 1990 was retitled GENERAL ORDINANCE NO. 137, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 137, 1990

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

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

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

Illinois Street, on the west side, from a point
55 feet north of Fortieth Street
to a point 40 feet south of Fortieth Street

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

Proposal No. 588, 1990 was retitled GENERAL ORDINANCE NO. 138, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 138, 1990

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

Charter Drive, from 96th Street to
Discovery Drive South, 25 MPH;

Colony Pointe, East Drive, from 96th Street to
Colony Pointe, South Drive, 25 MPH;

Colony Pointe, West Drive, from Colony Pointe, South Drive to
Settlement Drive South, 25 MPH;

Colony Pointe, South Drive, from Colony Pointe, East Drive to
Colony Pointe, West Drive, 25 MPH;

Discovery Drive West, from Settlement Drive South to
Discovery Drive South, 25 MPH;

Discovery Drive South, from Charter Drive to
Discovery Drive West, 25 MPH;

Settlement Drive North, from Charter Drive to
Settlement Drive West, 25 MPH

Settlement Drive South, from Colony Pointe, East Drive to
Settlement Drive West, 25 MPH; and

Settlement Drive West, from Settlement Drive North to
Settlement Drive South, 25 MPH.

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

President SerVaas passed the gavel to Councillor West.

PROPOSAL NO. 583, 1990. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 583, 1990 on October 17, 1990. The proposal amends the Code by authorizing a 3-way stop at the intersection of Spring Mill Road and 79th Street. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President SerVaas stated that Spring Mill Road is a secondary thoroughfare and he would like the Department of Transportation (DOT) to refrain from putting in so many stop lights on secondary thoroughfares. He has asked DOT if they had any objection to installing

blinker lights at Spring Mill Road and 79th Street. DOT has advised him that they will do another study at this intersection to see if blinker lights would be feasible. President SerVaas moved, seconded by Councillor Giffin, to table this proposal until DOT has done their study.

Councillor Gilmer asked Ronald Greiwe, Engineer, DOT, to give the department's report for that intersection. Mr. Greiwe stated that DOT completed a study at this location and the volume of cars exceeds the minimum volume warrants for a 3-way stop and for a traffic signal. There were nine accidents at the intersection last year. In order to improve the traffic flow and safety at this location DOT has recommended (1) to place three-way stop signs as an interim measure and (2) to widen Spring Mill Road so a traffic signal can be installed.

President SerVaas' motion to table Proposal No. 583, 1990 passed by a majority voice vote.

Councillor West returned the gavel to President SerVaas.

PROPOSAL NO. 597, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 597, 1990 on October 10, 1990. The proposal amends the Revised Code by adding a new Chapter 346, Drug Free School Zones. Councillor Dowden stated that this proposal would (1) symbolically establish and declare schools to be drug and alcohol free, (2) prohibit any person from being under the influence of drugs or alcohol on school premises and school buses, and (3) authorize school administrators to give urine, blood or breath tests of anyone suspected of being under the influence of drugs or alcohol. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Shaw stated that he is opposed to Proposal No. 597, 1990 because it is in violation of the Indiana Home Rule Act and the Indiana Constitution, and he believes some school administrators in township schools may discriminate against Black students.

Councillor Curry remarked that he supports the intent of the ordinance, but will oppose it because he feels it goes beyond the scope of the local government's authority as it is presently written.

Councillor Dowden asked Stephen Goldsmith, Marion County Prosecutor, to respond to some of these concerns. Mr. Goldsmith said that the state law is complex and Proposal No. 597, 1990 is seventy-five percent symbolic, but it gives is a strong statement by the Council that it wants the schools to be alcohol and drug free. He realizes that the Council will be acting in an area where it has not acted before concerning school administration.

Councillor Schneider stated that he supports this proposal because it is largely symbolic and this program will cost the taxpayers very little.

Councillor Williams stated that she agrees with Councillors Shaw and Curry and will have to oppose this proposal. She believes there has to be another solution to this "horrible" problem in the schools.

Councillor Brooks stated that his greatest concerns with the ordinance are (1) the designation of a school officer or administrator to make a determination as to whether or

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not there is probable cause to give blood or urine tests to persons suspected of being under the influence of drugs or alcohol, (2) the consent language in Sec. 346-5, and (3) if the schools decide not to post the signs, are they considered not to be alcohol and drug free zones?

Robert G. Elrod, General Counsel, replied as follows: (1) The prohibitions in Sections 2, 3 and 4, which create the zone, forbid the possession of alcoholic beverages or drugs in Section 3 and prohibit people from being on school property while under the influence of either drugs or alcohol, which applies regardless of whether the signs are posted or not. Section 5, which pertains to consent, is merely an evidentiary matter of whether or not a person had in fact violated either Section 3 or 4, and that evidence is obtained by taking a chemical test. The consent language is included as notice so that anyone who is in this zone after they have had drugs or alcohol knows that they are not supposed to be there in that condition. They are deemed, therefore, to have consented not to be arrested, but have consented to give the sample upon request by the appropriate person. However, the appropriate person must have probable cause to believe both that they have consumed either drugs or alcohol and that they are under the influence.

Councillor Howard, co-sponsor of this proposal, said that he brought the idea of drug and alcohol free school zones back from the National League of Cities. Other cities have adopted this approach and he believes the Council should take a position regarding the drug and alcohol problem in the schools.

Councillor Borst stated that he supports the concept of the drug and alcohol free school zone, but as the ordinance is written he cannot support it. He believes that if Sec. 346-5 is rewritten and if all eleven school superintendents decide to participate, the proposal has a better chance of passing. Therefore, he moved, seconded by Councillor Coughenour, to postpone Proposal No. 597, 1990 until December 10, 1990.

Councillor Boyd said that he is concerned about the constitutionality of the ordinance.

Councillor Durnil remarked that he supports Proposal No. 597, 1990 because it establishes a drug and alcohol free school zone around the schools, and each section in the proposal is supported by a state law.

President SerVaas passed the gavel to Councillor West.

President SerVaas stated that he agrees with Councillor Durnil and supports the motion to postpone. The councillors who have reservations should follow through with either a written statement or present their views at the proper time so that the Council can make a statement concerning the alcohol and drug problem in the schools.

Councillor West returned the gavel to President SerVaas.

Councillor Borst's motion to postpone Proposal No. 597, 1990 until the December 10, 1990 Council meeting passed by unanimous voice vote.

**SPECIAL SERVICE DISTRICT COUNCILS
POLICE SPECIAL SERVICE DISTRICT
SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 576, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 576, 1990 on October 10, 1990. The proposal appropriates \$105,493 for the Department of Public Safety, Police Division, to (1) purchase new equipment for driver and firearm training, (2) pay for additional helicopter pilot training, and (3) help fund construction of a new driver-training facility. By a 6-0-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:45 p.m.

Councillor Durnil asked where the new driver-training facility is going to be located. Joseph Shelton, Director, Department of Public Safety, responded that no site has been identified yet. The Department is looking at the present firing range located at Eagle Creek and is trying to trade off some land with the Parks Department.

Councillor Durnil stated that he would like to amend the proposal by inserting that no monies can be spent until a location has been approved by the Council.

Mr. Shelton stated that if this money is not appropriated in a timely manner it will revert back to the State. If the money is appropriated it will go to the Building Authority and whenever a location is identified for the firing range pad, the Department of Public Safety will have to come back for Council approval of the site.

President SerVaas asked Mr. Shelton to send a letter to Councillor Durnil incorporating in that letter a statement that he will come before the Council for approval on the site before any monies are spent. Mr. Shelton agreed and said that he will send all the Councillors a copy of the letter.

Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 576, 1990, was adopted on the following roll call vote; viz:

27 YEAS: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams
0 NAYS:
2 NOT VOTING: Giffin, Gilmer

Proposal No. 576, 1990 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1990 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1990

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1990 (Police Special Service District Fiscal Ordinance No. 5, 1989) appropriating an additional One Hundred Five Thousand Four Hundred Ninety-three Dollars (\$105,493) in the Law Enforcement Training Fund for purposes of the Department of Public Safety Police Division and reducing the unappropriated and unencumbered balance in the Law Enforcement Training Fund.

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BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT 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 Police Special Service District Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety Police Division to purchase new equipment for driver and firearm training, helicopter pilot training, and construction of a new driver training facility.

SECTION 2. The sum of One Hundred Five Thousand Four Hundred Ninety-three Dollars (\$105,493) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC SAFETY	POLICE SPECIAL SERVICE DISTRICT
<u>POLICE DIVISION</u>	<u>LAW ENFORCEMENT TRAINING FUND</u>
2. Supplies	\$ 300
3. Other Services & Charges	82,506
4. Capital Outlay	<u>22,687</u>
TOTAL INCREASE	\$105,493

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

	POLICE SPECIAL SERVICE DISTRICT
	<u>LAW ENFORCEMENT TRAINING FUND</u>
Unappropriated and Unencumbered	
Law Enforcement Training Fund	<u>\$105,493</u>
TOTAL REDUCTION	\$105,493

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

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, upon motion duly made and seconded, the meeting adjourned at 10:49 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 22nd day of October, 1990.

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)