

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

**REGULAR MEETINGS
MONDAY, NOVEMBER 12, 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 7:02 p.m. on Monday, November 12, 1990, with Councillor SerVaas presiding.

Councillor Cottingham 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, 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

1 ABSENT: Boyd

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Golc introduced Jack and Helen Murphy, residents on the near west side, and Ernest Newborn, a Stanley K. Lacy Executive recipient.

OFFICIAL COMMUNICATIONS

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

Journal of the City-County Council

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, November 12, 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 22, 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, November 1, 1990, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 611, 614, 615, 616 and 617, 1990, to be held on Monday, November 12, 1990, at 7:00 p.m., in the City-County Building.

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

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 103, 1990, 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.

FISCAL ORDINANCE NO. 104, 1990, 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.

FISCAL ORDINANCE NO. 105, 1990, 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.

FISCAL ORDINANCE NO. 106, 1990, 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.

FISCAL ORDINANCE NO. 107, 1990, 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.

November 12, 1990

FISCAL ORDINANCE NO. 108, 1990, 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.

GENERAL ORDINANCE NO. 136, 1990, amending the Code of Indianapolis and Marion County, Indiana, specifically Chapter 6, Article III, Division 4, Animal Exhibition Permits.

GENERAL ORDINANCE NO. 137, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 138, 1990, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

SPECIAL ORDINANCE NO. 17, 1990, approving the establishing of the 86th Street and Zionsville Road Economic Development Area.

GENERAL RESOLUTION NO. 12, 1990, approving the issuance of bonds of 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).

GENERAL RESOLUTION NO. 13, 1990, 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).

SPECIAL RESOLUTION NO. 65, 1990, concerning the October 6, 1990, White River cleanup.

SPECIAL RESOLUTION NO. 66, 1990, concerning recipients of the Purple Heart Medal.

SPECIAL RESOLUTION NO. 67, 1990, concerning Dorothy Petroskey.

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

THE HONORABLE PRESIDENT AND MEMBERS OF THE POLICE SPECIAL SERVICE DISTRICT 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 Police Special Service District, Mrs. Beverly S. Rippy-Dick, the following ordinance:

FISCAL ORDINANCE NO. 5, 1990, 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.

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.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journals of September 24, October 8, and October 22, 1990. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 672, 1990. This proposal concerns the veterans and the Indianapolis Veterans Day Council. Councillors Irvin and Gilmer, co-sponsors of the proposal, read the resolution and presented a framed document to Colonel Sweeney, who expressed his appreciation for the recognition. Councillor Irvin moved, seconded by Councillor Gilmer for adoption. Proposal No. 672, 1990 was adopted by unanimous voice vote.

Proposal No. 672, 1990 was retitled SPECIAL RESOLUTION NO. 68, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1990

A SPECIAL RESOLUTION concerning veterans and the Indianapolis Veterans Day Council.

WHEREAS, Indianapolis is recognized by the federal government as a regional center for Veterans Day activities; and

WHEREAS, the Veterans Day Council of Indianapolis is an active organization comprised of armed forces veterans, civic leaders, active duty and retired military personnel, veterans service organizations and educators; and

WHEREAS, the Veterans Day Council of Indianapolis currently involves veterans from all wars since World War I, and exists to recognize and support veterans for their contribution to the freedom which we enjoy; and

WHEREAS, each November, since 1964, the Veterans Day Council of Indianapolis has coordinated an impressive array of activities to appropriately recognize Veterans Day; and

WHEREAS, this year's events include a Memorial Service at the Indiana War Memorial, a downtown parade and an evening banquet and awards ceremony with over eight hundred people in attendance; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends all American Armed Forces veterans on this day of national remembrance.

SECTION 2. The Council further bestows a special thank you to all persons who generously contribute their time and energy to the Veterans Day Council of Indianapolis to help make this day very special to those who fully appreciate that freedom is not "free"--it must be maintained by each generation, sometimes even by force of arms.

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. 673, 1990. This proposal concerns Judge Roy F. Jones. Councillor Dowden, sponsor of this proposal, read the resolution and presented a framed document to Judge Jones, who expressed his appreciation for the recognition. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 673, 1990 was adopted by unanimous voice vote.

Proposal No. 673, 1990 was retitled SPECIAL RESOLUTION NO. 69, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1990

A SPECIAL RESOLUTION concerning Judge Roy F. Jones.

November 12, 1990

WHEREAS, Roy F. Jones served as the Judge of Marion Superior Court, Criminal Division, Room Five, from July 1, 1981, through 1990; and

WHEREAS, prior to the Superior Court, Judge Jones served as the Judge of Marion Municipal Court from January, 1979, through June 30, 1981; and

WHEREAS, Judge Jones is a lifelong resident of Indianapolis, Indiana, is a graduate of Southport High School and Indiana University, has practiced general law, and has served the city in numerous legal capacities; and

WHEREAS, he is a former legal advisor for the Indianapolis Police Department, Deputy Corporation Counsel, City Prosecutor and the Court Administrator for the Municipal Courts of Marion 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 City-County Council recognizes and thanks Judge Roy F. Jones for his twenty-one years of service to the people of Indianapolis which includes serving as Judge, Marion Superior Court, Criminal Division, Room Five, and as Judge, Marion Municipal Court.

SECTION 2. The Council wishes the best of health and happiness to Judge Jones, his wife Holly, and their four children in the years ahead.

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. 674, 1990. This proposal concerns Judge Richard L. Milan. Councillor Dowden, sponsor of the proposal, read the resolution and presented a framed document to Judge Milan, who expressed his appreciation for the recognition. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 674, 1990 was adopted by unanimous voice vote.

Proposal No. 674, 1990 was retitled SPECIAL RESOLUTION NO. 70, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 1990

A SPECIAL RESOLUTION concerning Judge Richard L. Milan.

WHEREAS, Richard L. Milan served with distinction as Judge of the Marion Superior Court, Civil Division, Room Four, from 1979 through 1990; and

WHEREAS, during portions of those twelve years, Judge Milan held additional responsibilities of being the Presiding and Supervising Judge of the Marion Superior Courts, was the Supervising Judge of the Marion County Law Library, was a member of the Board of Directors of the Indiana Judicial Conference, and the Board of the Association of Family and Conciliation Courts; and

WHEREAS, Judge Milan, a graduate of Lawrence Central High School and Indiana University Law School, served as a staff attorney for the Indianapolis Sanitary District and the Board of Public Works during the transition years of Indianapolis' governmental unification; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Judge Richard L. Milan for his twelve years of service to the people of Indianapolis while serving as Judge of the Marion Superior Court, Civil Division, Room Four.

SECTION 2. The Council wishes the best of health and happiness to Judge Milan, to his wife Lyn, and to their daughters in the years ahead.

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

Journal of the City-County Council

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

PROPOSAL NO. 675, 1990. This proposal concerns Judge John W. Tranberg, Councillors Williams and Golc, co-sponsors of the proposal, read the resolution and presented a framed document to Judge Tranberg, who expressed his appreciation for the recognition. Councillor Williams moved, seconded by Councillor Golc, for adoption. Proposal No. 675, 1990 was adopted by unanimous voice vote.

Proposal No. 675, 1990 was retitled SPECIAL RESOLUTION NO. 71, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 71, 1990

A SPECIAL RESOLUTION concerning Judge John W. Tranberg.

WHEREAS, John W. Tranberg served as the Judge of Marion Superior Court, Criminal Division, Room One, from 1974 through 1990; and

WHEREAS, Judge Tranberg is a native of South Bend, Indiana, is a graduate of Indiana University, practiced general law, served as a deputy prosecuting attorney, and was the attorney for the Indianapolis Sanitary District; and

WHEREAS, he is a former member of the Indianapolis Lawyers' Commission, was on the Board of Directors of the Indiana Judicial Center, and is currently a Board Member of the Law Enforcement Training Academy; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks John W. Tranberg for his sixteen years of service to the people of Indianapolis while serving as Judge, Marion Superior Court, Criminal Division, Room One.

SECTION 2. The Council wishes the best of health and happiness to Judge Tranberg, his wife, Shirley, their four children and their ten grandchildren in the years ahead.

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. 608, 1990. Councillor Strader reported that the Community Affairs Committee heard Proposal No. 608, 1990 on October 24, 1990. The proposal appoints Stephanie Prichard to the Marion County Commission on Youth. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Strader moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 608, 1990 was adopted by unanimous voice vote.

Proposal No. 608, 1990 was retitled COUNCIL RESOLUTION NO. 74, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 74, 1990

A COUNCIL RESOLUTION appointing Stephanie Prichard 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:

Stephanie Prichard

November 12, 1990

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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 641, 1990. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing tax anticipation borrowing for the City of Indianapolis during the period from January 1, 1991 through December 31, 1991"; and the President referred it to the Administration Committee.

PROPOSAL NO. 642, 1990. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$50,000 for the Department of Administration, Finance Division, to pay for salary increases resulting from the city-wide clerical audit"; and the President referred it to the Administration Committee.

PROPOSAL NO. 643, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing tax anticipation borrowing for the County General Fund and the County Welfare Fund during the period from January 1, 1991 through December 31, 1991"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 644, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$30,000 for the Information Services Agency to (1) purchase software and paper supplies, (2) pay for increased microfiche usage costs, and (3) pay the salary of a contract programmer who will complete a welfare software project in 1990"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 645, 1990. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION re-establishes the power of the Hospital Authority of Marion County to issue new revenue bonds for hospital purposes until December 31, 1995"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 646, 1990. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$82,000 for the Department of Metropolitan Development, Public Housing Division, to pay for health insurance and overtime costs"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 647, 1990. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$40,000 for the Department of Parks and Recreation, Eagle Creek Division, to pay additional personnel costs in order to continue services at the current level"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 648, 1990. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$80,000 for the Department of Parks and Recreation, Recreation and Sports Facilities Division, to

pay additional personnel costs in order to continue services at the current level"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 649, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$82,000 for the Prosecuting Attorney to absorb personnel costs due to loss of grants and to pay for additional printing and supply charges"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 650, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$7,754 for the Prosecuting Attorney to provide additional funds to the existing Adult Protective Services Grant, which will be used to contract with the Multi-Service Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 651, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$7,015 within the Metro Drug Task Force Grant for the Prosecuting Attorney to pay overtime costs for the Sheriff's Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 652, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$72,171 for the Prosecuting Attorney to cover numerous vacation buyouts and the overlap of staff due to terminations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 653, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$20,000 for the Justice Agency to pay for vehicle repair and other operating expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 654, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,600 for the Justice Agency, acting as subgrantee for the Indiana Criminal Justice Institute, to pay for personnel costs for the Julian Center for its Victim Witness Services"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 655, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE transferring and appropriating \$263,000 for the Department of Public Safety, Police Division, to pay for unanticipated increases in overtime, health insurance premiums and in-line-of-duty injury expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 656, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE transferring and appropriating \$225,000 for the Department of Public Safety, Police Division, to continue making pension payments for the remainder of this fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

November 12, 1990

PROPOSAL NO. 657, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$120,000 for the Metropolitan Emergency Communications Agency to provide a one-time payment to the City of Lawrence in exchange for the use of the Oaklandon Water Tower for ten years as a receive site for signals from the county-wide emergency communications system"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 658, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$305,000 for the Superior Court, Juvenile Division, to adequately fund personal services"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 659, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$17,500 for the Superior Court, Criminal Division, Probation Department, to (1) purchase word processing equipment/software, dictation/transcribing equipment and a printer, (2) lease electronic monitoring equipment, and (3) pay for cable installation and maintenance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 660, 1990. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE transferring and appropriating \$100,000 for the Department of Public Works, Solid Waste Division, to provide funding for the additional costs associated with the seasonal pick-up of leaves and to pay the increased cost of employee insurance"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 661, 1990. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to extend the current sewer service and user rates for 1991"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 662, 1990. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the Board of Public Works resolution declaring certain sewer service final accounts as uncollectible and authorizing the cessation of further collection efforts"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 663, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Cherry Lake Subdivision and Fortune Park"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 664, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a one-way stop at the intersection of Washington Blvd. and Westfield Blvd. with Westfield Blvd. being preferential; and a one-way stop at the intersection of Washington Blvd. and 60th St. with Washington Blvd. being preferential"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 665, 1990. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing

intersection controls at Temple Avenue and 36th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 666, 1990. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Indianola Avenue and 61st Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 667, 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 a segment of Grand Avenue, Spencer Avenue, Butler Avenue and Melvenia Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 668, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 25 MPH speed limit on three streets within the Eagledale Subdivision, along with parking restrictions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 669, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions in the 400 block of South East Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 670, 1990. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the code by deleting a one-way traffic flow on Harmon St. between South St. and Henry St.; and by authorizing intersection controls at Harmon St. and South St."; and the President referred it to the Transportation Committee.

PROPOSAL NO. 671, 1990. Introduced by Councillor Irvin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a one-way traffic flow on a segment of Walcott Street"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 640, 1990. Councillor Schneider asked Councillor Gilmer to give the Committee's report since he was not present at the Committee meeting. Councillor Gilmer reported that the Economic Development Committee heard Proposal No. 640, 1990 on October 24, 1990. The proposal approves and authorizes certain actions and proceedings with respect to certain proposed economic development bonds (Homeward Partners, Inc.). This project involves the acquisition and renovation of a substantial number of existing rental units in the downtown area for housing as well as the construction of new units. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 640, 1990 was adopted on the following roll call vote; viz:

November 12, 1990

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

0 NAYS:

4 NOT VOTING: *Dowden, Irvin, McGrath, Strader*

1 NOT PRESENT: *Boyd*

Councillor Strader abstained due to a possible conflict of interest.

Proposal No. 640, 1990 was retitled SPECIAL RESOLUTION NO. 72, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 72, 1990

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 IC 36-1-11.9 and IC 36-7-12 (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, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company; and

WHEREAS, Homeward Partners, Inc., an Indiana corporation (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire 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 consist of the acquisition, renovation, construction, installation and equipping of multi-family residential rental housing at the following described locations located within the jurisdiction of the Issuer:

Existing Locations:

Blacherne (402 N. Meridian St.); Link Savoy (401 N. Illinois St.); Hoosier (403 Massachusetts Ave.); Carpenter (222 E. Michigan St.); and the Academy (1350 N. Meridian St.), containing a total of approximately 220,278 square feet which will contain a total of approximately 330 residential rental units after completion of the renovation; other existing units at sites within the Indianapolis Regional Center Area which have not yet been finalized; and

New Locations:

650 one bedroom apartments on sites in the Indianapolis Regional Center Area containing a total of approximately 341,250 square feet; 100 one bedroom apartments to be located within a one mile radius of Academy containing a total of approximately 52,500 square feet; and

the acquisition of machinery, equipment and furnishings for use in the facilities; and the acquisition, construction, installation, and equipping of various site improvements at the facilities (the "Project").

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (an additional number of jobs to be created, as set forth below, of approximately:

At the end of the first year:

Office:

Manager (1)
Assistant Manager (1)
Leasing Agent (part time) (1)

Maintenance:

Janitor (1 per every 2 completed buildings)
Maintenance Supervisor (1)

In addition to the first year number of jobs, at the end of the third year:

Maintenance:

Janitor (2 full time and 1 part time)
Maintenance Helper (1)

with estimated payrolls of \$80,770 after one (1) year and \$120,986 after three (3) years) and the creation of business opportunities to be achieved by the acquisition, renovation, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, renovation, construction, installation and equipping of the facilities will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now therefore:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Thirty-Eight Million Five Hundred Thousand Dollars (\$38,500,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation, construction, installation and equipping of the Project will serve the public purposes referred to above in accordance with the Act subject, however, to the further restriction that the aggregate principal amount of such revenue bonds issued shall be no greater than eighty percent (80%) of the Project costs.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, construction, installation and equipping of the Project, this 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 (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires May 31, 1991 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 (ii) it will adopt such 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 revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) 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 (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; 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 adoption of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition 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 the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses 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.

November 12, 1990

PROPOSAL NOS. 676-683, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 9, 1990. The Council did not schedule Proposal Nos. 676-683, 1990, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 676-683, 1990, were retitled REZONING ORDINANCE NOS. 190-197, 1990, and are identified as follows:

REZONING ORDINANCE NO. 190, 1990. 90-Z-178 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
5450 VICTORY DRIVE, INDIANAPOLIS.

D. B. MANN DEVELOPMENT COMPANY, by Stephen D. Mears, requests the rezoning of 4.33 acres, being in the D-4 district, to the C-S classification to provide for the following uses: office use; C-4 uses; I-1-S uses and I-2-S uses.

REZONING ORDINANCE NO. 191, 1990. 90-Z-180 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
8602 WEST MORRIS STREET, INDIANAPOLIS.

INDIANAPOLIS WATER COMPANY, by Wilson S. Stober, requests the rezoning of 1.43 acres, being in the D-A/FP district, to the SU-39/FP classification to provide for future water utility facilities.

REZONING ORDINANCE NO. 192, 1990. 90-Z-181 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
2810 EAST HANNA AVENUE, INDIANAPOLIS.

RALPH CODDINGTON and STEVEN E. HANDLY, by Michael J. Kias, requests the rezoning of 15.43 acres, being in the D-A district, to the D-5 II classification to provide for the development of two-family residences.

REZONING ORDINANCE NO. 193, 1990. 90-Z-182 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
280 WEST STOP ELEVEN ROAD, INDIANAPOLIS.

C & G STOUT CONSTRUCTION COMPANY, by Michael J. Kias, requests the rezoning of 1.534 acres, being in the D-A district, to the D-4 classification to provide for the construction of two additional single-family homes.

REZONING ORDINANCE NO. 194, 1990. 90-Z-183 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
8905-8925 SOUTH MERIDIAN STREET, INDIANAPOLIS.

LANDMARK PROPERTIES INC., by J. Murray Clark, requests the rezoning of 12 acres, being in the D-A district, to the C-3 classification to provide for the development of a neighborhood shopping center.

REZONING ORDINANCE NO. 195, 1990. 90-Z-184 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
5525 MADISON AVENUE, INDIANAPOLIS.

LARRY B. LACKEY requests the rezoning of 0.36 acre, being in the C-3 district, to the C-5 classification to provide for automobile sales.

REZONING ORDINANCE NO. 196, 1990. 90-Z-186 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
6405 GUION ROAD, INDIANAPOLIS.

CFC INVESTORS LTD., by James R. Nickels, requests the rezoning of 25 acres, being in the D-A district, to the I-2-S classification to provide for the development of a manufacturing/distribution facility.

REZONING ORDINANCE NO. 197, 1990. 90-Z-187 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
4990 KESSLER BOULEVARD, INDIANAPOLIS.

TRUSTEE OF MILLERSVILLE MASONIC LODGE requests the rezoning of 2.97 acres, being in the D-A district, to the SU-34 classification to provide for the construction of an elevator on an existing lodge building.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 598, 1990. The 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. On that date, with consent of petitioner, the hearing was postponed until November 12, 1990. Councillor Solenberg stated that an agreement had been reached between the petitioner and the remonstrators. Robert Elrod, General Counsel, explained that the parties have agreed to a compromise consisting of additional commitments and agree that Proposal No. 598, 1990 can be adopted subject to the amended commitments which have been delivered to the General Counsel.

[Clerk's Note: Councillor Boyd arrived at this time.]

Councillor Durnil stated that he is opposed to the construction of this children's group home at the entrance of a housing development under construction. Councillor Ruhmkorff said that she is opposed to the amount of money being spent on this children's home and will not support the rezoning. Councillor Clark stated that his constituents are opposed to the construction of a children's group home in this area.

Councillor Brooks said that he supports this rezoning and, in his opinion, Councillor Solenberg should be congratulated on reaching a compromise with all the people involved.

The President called for public testimony at 7:53 p.m. The petitioner and remonstrators having waived public hearing, and there being no one present to testify, the President called for the Council to vote on Proposal No. 598, 1990. He said if they wished to reject the Metropolitan Development Commission's recommendation to vote "nay", and if they wished to sustain the Commission's recommendation with the additional commitments to vote "yea". Proposal No. 598, 1990 was adopted on the following roll call vote; viz:

24 YEAS: Borst, Boyd, Brooks, Cottingham, Coughenour, Curry, Giffin, Gilmer, Golc, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams

3 NAYS: Clark, Durnil, Ruhmkorff

2 NOT VOTING: Dowden, Hawkins

Proposal No. 598, 1990 was retitled REZONING ORDINANCE NO. 198, 1990 and is identified as follows:

REZONING ORDINANCE NO. 198, 1990. 90-Z-126 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12

1701 NORTH MITTHOEFER ROAD, INDIANAPOLIS.

PLEASANT RUN CHILDREN'S HOME, INC., by Zeff A. Weiss, requests the rezoning of 2.47 acres, being in the D-4 district, to the SU-7 classification to provide for the development and operation of a children's group home.

PROPOSAL NO. 611, 1990. This proposal appropriates \$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. Councillor Borst asked for consent to postpone Proposal No. 611, 1990 until November 26, 1990. Consent was given.

PROPOSAL NO. 614, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 614, 1990 on October 24, 1990. The proposal appropriates \$226,500 for the Sheriff to pay for (1) food service for jail inmates

November 12, 1990

through the end of 1990 and (2) repair charges for the Sheriff's vehicles. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:55 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 614, 1990, was adopted on the following roll call vote; viz:

28 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, Strader, West, Williams
0 NAYS:
1 NOT VOTING: Solenberg

Proposal No. 614, 1990 was retitled FISCAL ORDINANCE NO. 109, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Two Hundred Twenty-six Thousand Five Hundred Dollars (\$226,500) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01(z) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay for (1) food service for jail inmates through the end of 1990 and (2) repair charges for the Sheriff's vehicles.

SECTION 2. The sum of Two Hundred Twenty-six Thousand Five Hundred Dollars (\$226,500) 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:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>\$226,500</u>
TOTAL INCREASE	\$226,500

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>\$226,500</u>
TOTAL REDUCTION	\$226,500

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

PROPOSAL NO. 615, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 615, 1990 on October 24, 1990. The proposal appropriates \$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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Irvin, for adoption. Proposal No. 615, 1990, was adopted on the following roll call vote; viz:

28 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, Strader, West, Williams*

0 NAYS:

1 NOT VOTING: *Solenberg*

Proposal No. 615, 1990 was retitled FISCAL ORDINANCE NO. 110, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Seventy Thousand Four Hundred Seventy-two Dollars (\$70,472) in the State and Federal Grants Fund for purposes of the County Sheriff 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) and 2.01(z) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County 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.

SECTION 2. The sum of Seventy Thousand Four Hundred Seventy-two Dollars (\$70,472) 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>COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$57,593
3. Other Services and Charges	3,028
4. Capital Outlay	1,575
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>8,276</u>
TOTAL INCREASE	<u>\$70,472</u>

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$70,472</u>
TOTAL REDUCTION	<u>\$70,472</u>

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

PROPOSAL NO. 616, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 616, 1990 on October 24, 1990. The proposal appropriates \$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. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

November 12, 1990

The President called for public testimony at 7:59 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 616, 1990, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brooks, 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: *Clark, Ruhmkorff, Solenberg*

Proposal No. 616, 1990 was retitled FISCAL ORDINANCE NO. 111, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 111, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Four Hundred Thousand Dollars (\$400,000) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency, Prosecutor, Sheriff's Department, and the Auditor 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), (w) (z) and (cc), 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 Justice Agency, Prosecutor, Sheriff and Auditor to continue with the fourth year of shared funding of the Metro Drug Task Force Grant.

SECTION 2. The sum of Four Hundred Thousand Dollars (\$400,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$ 88,290
<u>COUNTY SHERIFF</u>	
1. Personal Services	50,111
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	24,621
<u>MARION COUNTY JUSTICE AGENCY</u>	
2. Supplies	908
3. Other Services and Charges	194,505
4. Capital Outlay	<u>41,565</u>
TOTAL INCREASE	\$400,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>\$400,000</u>
TOTAL REDUCTION	\$400,000

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

PROPOSAL NO. 617, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 617, 1990 on October 24, 1990. The

proposal appropriates \$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. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 617, 1990, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brooks, 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: *Clark, Cottingham, Solenberg*

Proposal No. 617, 1990 was retitled FISCAL ORDINANCE NO. 112, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 112, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Sixty-three Thousand Seven Hundred Forty-eight Dollars (\$63,748) in the State and Federal Grants Fund for purposes of the Marion County Justice Agency 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) and 2.01 (cc) 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 Justice Agency to continue the Drug Use Forecasting Program to be funded by a grant from the National Institute of Justice.

SECTION 2. The sum of Sixty-three Thousand Seven Hundred Forty-eight Dollars (\$63,748) 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>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$54,155
2. Supplies	1,550
3. Other Services and Charges	400
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>7,643</u>
TOTAL INCREASE	\$63,748

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$63,748</u>
TOTAL REDUCTION	\$63,748

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

Councillor Dowden asked for consent to hear Proposal No. 613, 1990 next. Consent was given.

November 12, 1990

PROPOSAL NO. 613, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 613, 1990 on October 24, 1990. The proposal amends the Code, Chapter 3, Article IV, Division 3, Firefighters Merit System. Councillor Dowden explained that the original ordinance identified the police chief as having authority over the firefighters merit system and Proposal No. 613, 1990 identifies the fire chief as having authority over the firefighters merit system. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 613, 1990 was adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Brooks, 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:

1 NOT VOTING: Clark

Proposal No. 613, 1990 was retitled GENERAL ORDINANCE NO. 139, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE 139, 1990

A GENERAL ORDINANCE amending Chapter 3, Article IV, Division 3, Firefighters Merit System, of the Code of Indianapolis and Marion County, Indiana.

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

SECTION 1. Section 3-339(c) of the Code of Indianapolis and Marion County is hereby amended by deleting the language stricken-through as follows:

(c) An officer may be placed on leave with pay for up to thirty (30) calendar days by the chief of police pending determination of final disciplinary action. Such leave with pay shall be considered a duty status and not a punishment.

SECTION 2. 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. 584, 1990. This proposal amends the Code by authorizing a 4-way stop at the intersection of Churchman Avenue and Perkins Avenue. On October 22, 1990 the Council voted to postpone the proposal until November 12, 1990 at Councillor Coughenour's request. Councillor Gilmer reported that Councillor Coughenour, the chief of police of Beech Grove and Ron Greiwe, Engineer, Department of Transportation, met and agreed that a 4-way stop is not needed at the Churchman Avenue and Perkins Avenue intersection. Councillor Gilmer moved, seconded by Councillor Coughenour, to strike Proposal No. 584, 1990. Proposal No. 584, 1990 was stricken by a unanimous voice vote.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 435, 1990. The proposal amends the Code, specifically Section 17 1/2-30, Litter, Maintenance of Property. Councillor Coughenour reported that on September 24, 1990 the Council voted to return Proposal 435, 1990 to Committee. On October 25, 1990 the Committee heard the proposal and amended it by adding the underlined text in Section 17½-30 (b) as follows:

(b) The owner or operator of any public establishment which provides off-street customer parking and dispenses food or beverages intended for human consumption outside the establishment or off its premises, and if the establishment offers customer food or beverage drive-up window service, shall maintain litter receptacles in the off-street parking area as required by this subsection. To keep the establishment, neighborhood and community environment cleaner and more sanitary, a minimum of one (1) receptacle shall be provided for nine (9) or fewer parking spaces and one (1) additional receptacle for each additional nine (9) parking spaces.

By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Holmes, for adoption. Proposal No. 435, 1990, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

6 NOT VOTING: *Clark, Cottingham, Dowden, Ruhmkorff, Shaw, Solenberg*

Proposal No. 435, 1990, as amended, was retitled GENERAL ORDINANCE NO. 140, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 140, 1990

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", specifically Chapter 17½, Article III, Maintenance of Property, and amending the "Revised Code of the Consolidated City and County", specifically Section 103-302, Schedule of Code Provisions and Penalties.

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

SECTION 1. Sec. 17½-30 of the Code of Indianapolis and Marion County is hereby amended by deleting the language stricken-through and inserting the language underscored to read as follows:

Sec. 17½-4. Powers and duties of administrative agency.

(a) The board of public works shall adopt, revise and revoke rules and regulations in furtherance of the purpose of this chapter in accordance with section 3-405. These rules and regulations shall be compatible with this chapter, this code, state law, federal law, and applicable state and federal rules and regulations.

~~(b) Notice of any adoption, revision or revocation of rules and regulations pursuant to this section shall be given to the city-county council.~~

~~(c) If, within thirty (30) days after notice is given the city-county council of the adoption, revision or revocation of rules and regulations by the board of public works pursuant to this section, the city-county council shall by resolution or ordinance disapprove or reject such adoption, revision or revocation of rules and regulations, such action of the board of public works in adopting, revising or revoking rules and regulations shall be of no effect.~~

~~(d) Provided the adoption, revision or revocation of rules and regulations by the board of public works pursuant to this section has not been disapproved or rejected by the city-county council within thirty (30) days after notice is given the city-county council of such adoption, revision or revocation, the adoption, revision or revocation shall become effective thirty (30) days after such notice and following compliance with any applicable requirements for publication. (G.O. 63, 1978, § 1)~~

Sec. 17½-5. Penalties.

(a) Except as otherwise provided herein, any person convicted of a violation of any section of this chapter shall upon conviction be punished by a fine of not more than one thousand dollars (\$1,000.00) two thousand five hundred dollars (\$2,500.00). Each day any such violation is committed or permitted to continue may constitute a separate offense and shall be punishable as such hereunder. ~~However, a person violating any section of this chapter may be served by an authorized employee of the department of public works or the designee of the director of the department of public works, the division of code enforcement of the department of metropolitan development, the Indianapolis Police Department or the Marion County Sheriff's Department with a written~~

November 12, 1990

~~notice of the violation. The violator may take advantage of the privilege of compromising the offense by appearing in person, or by attorney or agent, in the office of the board of public works or at any branch of any bank or trust company whose principal office is located within the county within five (5) days of the notice, admitting liability for the offense, and paying a penalty of ten dollars (\$10.00), which shall be deposited in the account of the department of public works. If, in the opinion of the authorized employee, the violation is so substantial as to warrant a more severe penalty, the authorized employee may issue a city ordinance violation summons, which will require the individual cited to appear in court on a specified date. The authorized employee shall, when issuing such a summons, provide the city prosecutor with a copy thereof.~~

~~(b) Any person receiving a notice of a violation of this chapter who has been guilty in any manner during the current calendar year of three (3) or more violations of this chapter, or any person receiving such notice who does not desire to compromise the claim of the city in the manner described above, may appear in person, or by attorney or agent, at the office of the board of public works, waive arrest, and arrange with the board to be slated and to have a date set for the time he shall appear in court. The board shall then arrange with the clerk or judge of the court having jurisdiction thereof for the appearance in court of the violator, and shall notify the city prosecutor of each such case, giving the status thereof and all information relevant thereto.~~

~~(c) Upon the failure or refusal of any person receiving a notice of violation under this section to appear as provided herein at the office of the board of public works or at any branch of any bank or trust company the principal office of which is located within the county, or to compromise the violation if appearing, it shall be the duty of the board of public works to report that fact to the city prosecutor and to the authorized agent who signed the notice to appear, and to furnish the city prosecutor with all relevant information regarding the violation. Proceedings in court against the violator shall then be brought in the manner provided by law.~~

~~(d) (b) In addition to the foregoing penalties, the city, by appropriate action, may seek injunctive relief, requesting the court to enjoin or order the abatement of any violation of this chapter. (G.O. 63, 1978, § 1; G.O. 78, 1979, § 1)~~

Sec. 17½-8. Littering on premises of another.

(a) It shall be unlawful for any person to cast, place, or deposit any litter upon real property owned by another, without the consent of the owner or lessee of such real property.

(b) Whenever any person shall be charged with a violation of this section, it shall be a sufficient allegation of a prima facie offense to state that such person deposited the litter described in subsection (a) upon property of which he was not then the owner or lessee. It shall be a matter of affirmative defense for the person to show that he had permission of the owner or lessee to so deposit such litter, if such was the case.

Sec. 17½-28. Duty to secure litter subject to movement by elements.

All litter that is subject to movement by the elements shall be secured by the owner ~~of the premises~~ or occupant or lessee of a house or building used for residence, business or commercial purpose where it is found before the same is allowed to be removed by the elements to adjoining premises.

Sec. 17½-30. Maintenance of areas around business in clean condition.

(a) The owner or person in control of any public place, including but not limited to restaurants, shopping centers, fast-food outlets, stores, hotels, motels, industrial establishments, office buildings, apartment buildings, housing projects, gas stations, and hospitals and clinics shall at all times keep the premises clean of all litter and shall take measures, including daily cleanup of the premises to prevent litter from being carried by the elements to adjoining premises. It shall be a violation of this section to abandon, neglect or disregard the condition or appearance of such premises so as to permit the accumulation of litter thereon.

(b) The owner or operator of any public establishment which provides off-street customer parking and dispenses food or beverages intended for human consumption outside the establishment or off its premises, and if the establishment offers customer food or beverage drive-up window service, shall maintain litter receptacles in the off-street parking area as required by this subsection. To keep the establishment, neighborhood and community environment cleaner and more sanitary, a minimum of one (1) receptacle shall be provided for nine (9) or fewer parking spaces and one (1) additional receptacle for each additional nine (9) parking spaces.

Sec. 17½-43. Parking lots.

Any parking lot shall be equipped with litter receptacles in compliance with this ~~section~~ article and the regulations issued pursuant to section 17½-4, unless otherwise specified in section 17½-30.

SECTION 2. Section 103-302 of the Revised Code of the Consolidated City and County, be, and is hereby amended by inserting the underlined text to read as follows:

Journal of the City-County Council

Sec. 103-302. Schedule of Code Provisions and Penalties.

The following code (or ordinance) provisions and respective civil penalties are designated for enforcement through the ordinance violations bureau:

<u>Code Section</u>	<u>Subject Matter</u>	<u>Civil Penalty</u>
4-149	Open burning	\$25.00
<u>17½-8</u>	<u>Littering on premises of another</u>	<u>50.00</u>
28-16	Parking prohibited for street repairs and cleaning	7.50
29-8	Pedestrian violations	7.50
29-27	Parking when temporarily prohibited	7.50
29-97	Display of unauthorized traffic controls	7.50
29-98	Interference with traffic control devices	7.50
29-123	Unlawful use of horn or sounding device	15.00
29-223	Unlawfully parked trailer	7.50
29-251	Unlawful parking near fire hydrant	7.50
29-252	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
29-253	Unlawful parking in certain school areas	7.50
29-254	Unlawful manner of parking	7.50
29-255	No required lights on certain parked vehicles	7.50
29-256.1	Violation of handicapped parking restrictions	7.50
29-256.2	Unlawful parking in handicapped parking meter zone	7.50
29-257	Unloading perpendicular to curb without permit	7.50
29-258	Unlawful use of bus stops and taxicab stand	7.50
29-259	Unlawful use of passenger and loading zones	7.50
29-260	Unlawful parking adjacent to certain buildings	7.50
29-262	Unlawful parking for display for sale or advertising	7.50
29-263	Unlawful parking for more than 6 hours	7.50
29-264	Unlawful parking of commercial vehicles at night	7.50
29-265	Unlawful parking in alleys or on certain narrow streets	7.50
29-266	Unlawful parking in designated special parking areas	7.50
29-267	Parking on certain streets where prohibited at all times	7.50
29-268	Stopping, standing or parking on streets where prohibited at all times	7.50
29-269	Parking on certain streets where prohibited at all times on certain days	7.50
29-270	Parking on certain streets when prohibited at certain times on certain days	7.50
29-271	Stopping, standing or parking during prohibited hours on certain days on certain streets. If between hours of 6:00 a.m. - 9:00 a.m., 7:00 a.m. - 9:00 a.m., 3:00 p.m. - 6:00 p.m., 4:00 p.m. - 6:00 p.m.	25.00
29-272	Parking longer than permitted on certain streets at certain times on certain days	7.50
29-284	Parking in excess of time permitted in parking meter zone	7.50
29-291	Parking in meter zone when temporarily prohibited	7.50
29-297	Overtime parking in metered parking space	7.50
29-321	Unlawful parking during snow emergency	25.00
29-335	Leaving taxicab unattended	7.50
29-336	Unlawful parking of bus or taxicab	7.50
29-337	Unlawful parking in certain mailbox zones	7.50
29-341	Unlawful stopping, standing or parking near fire hydrant	7.50
29-342	Unlawful obstruction of fire lane	7.50
29-398	Unlawful loading or unloading of private bus	7.50
29-400	Unlawfully stopping of food vendor vehicle	7.50
29-401	Violation of noise restriction on food vendors	7.50
29-403	Failure of food vending vehicle to display required warnings	7.50
29-403.2	Unlawful vending for other than curb side of vending vehicle	7.50
29-406	Operation of bicycle without required equipment	7.50
29-407	Unlawful operation of bicycle	7.50
29-424	Operation of unregistered bicycle	7.50

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

PROPOSAL NO. 554, 1990. Councillor Rhodes reported that the Administration Committee heard Proposal No. 554, 1990, sponsored by Councillor Williams, on November 7, 1990. The proposal amends the Code by repealing Section 23-7, Deductions

November 12, 1990

for political contributions. Councillor Rhodes stated that only 800 of the city's 5000 employees participate in the voluntary political payroll deduction program. He said most of the employees who testified at the Committee meeting considered it a convenience and did not feel pressured into contributing to a political party. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Rhodes moved, seconded by Councillor McGrath, to strike.

Councillors Howard, Strader, Dowden and West stated that they support the voluntary political payroll deduction program.

Councillor Golc said that he heard from some city-county employees who said that they feared it would affect their jobs if they did not contribute; therefore, he will vote not to strike the ordinance. Councillor Moriarty stated that she opposes the motion to strike Proposal No. 554, 1990 because she believes it is an outdated way to contribute to political parties.

Councillor Holmes stated that if there are only 800 out of 5000 city employees who participate in this program, there must not be a lot of intimidation involved.

Councillors Brooks and Clark stated that the voluntary political payroll deduction program is a convenience just as is the United Way payroll deduction.

Councillor Williams stated that she believes payroll deductions for political contributions is a concept that needs to be abandoned, it is politics of the past, and it is a system that has been abandoned throughout most of the country.

President SerVaas passed the gavel to Councillor West.

President SerVaas stated that both political parties have a problem in that the strength of political parties as parties is constantly diminishing, resulting in fewer people who vote.

Councillor West returned the gavel to President SerVaas.

Proposal No. 554, 1990 was stricken on the following roll call vote; viz:

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

3 NAYS: Golc, Moriarty, Williams

1 NOT VOTING: Solenberg

PROPOSAL NO. 607, 1990. Councillor Rhodes reported that the Administration Committee heard Proposal No. 607, 1990, co-sponsored by Councillors Howard, Hawkins and Holmes, on November 7, 1990. The proposal amends City-County Fiscal Ordinance No. 95, 1990 to modify committee compensation for councillors for 1991. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shaw, for adoption.

Councillor Coughenour stated that at the Committee hearing she asked for figures regarding the number of meetings each councillor has attended for the last three years before this Council meeting. She moved, seconded by Councillor West, to return Proposal No. 607, 1990 to Committee until the facts and figures are presented.

Councillor Clark stated that he believes the time has come to again study compensation for committee attendance. He said that this was introduced several years ago as an incentive for councillors to attend meetings and was never meant to be part of the councillor's income. He suggested that perhaps the base salary should be adjusted so everyone can afford to come to all the committee meetings and forego the idea of paying for committee attendance.

President SerVaas thanked Councillor Clark for the suggestion and asked Councillor Rhodes to discuss the councillor base salary at one of the Administration Committee meetings in 1991.

Councillor Holmes suggested that the councillors not receive a salary, but be paid for only the committee meetings they attend.

Councillor Coughenour's motion to return Proposal No. 607, 1990 to Committee passed by unanimous voice vote.

PROPOSAL NO. 612, 1990. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal No. 612, 1990 on November 1, 1990. The proposal approves the leasing of certain real estate of the Department of Parks and Recreation. Councillor Durnil explained that the property is located at 4459 Shelbyville Road and consists of five and one-half acres. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Durnil moved, seconded by Councillor Strader, for adoption. Proposal No. 612, 1990 was adopted on the following roll call vote; viz:

28 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*
0 NAYS:
1 NOT VOTING: *Williams*

Proposal No. 612, 1990 was retitled SPECIAL RESOLUTION NO. 73, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 73, 1990

A SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation.

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

SECTION 1. The City-County Council hereby approves, pursuant to IC 36-1-11-3 the lease of the following property by the Department of Parks and Recreation:

Location	Appraised Value	Auction Bid Lease Value
Dwelling A 4459 Shelbyville Road	\$400	\$350
Dwelling B 4459 Shelbyville Road	\$375	\$330

The above auction bid lease value is a result of a second bid auction which was held due to no bids being received at the original auction.

November 12, 1990

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

PROPOSAL NOS. 618, 619, 621, 622 and 623, 1990. President SerVaas asked for consent to vote on the five transportation proposals together. Consent was given. PROPOSAL NO. 618, 1990. The proposal amends the Code by authorizing a 3-way stop at the intersection of Sherman Drive and Thompson Road. PROPOSAL NO. 619, 1990. The proposal amends the Code by authorizing a 4-way stop at the intersection of Moller Road and 46th Street. PROPOSAL NO. 621, 1990. The proposal amends the Code by authorizing a 35 MPH speed limit on Tibbs Avenue from 16th Street to 30th Street. PROPOSAL NO. 622, 1990. The proposal amends the Code by authorizing weight limit restrictions on a segment of Roache Avenue and on a segment of 25th Street. PROPOSAL NO. 623, 1990. The proposal amends the Code by authorizing a weight limit restriction on Dunlap Avenue from Minnesota Street to Plainfield Avenue. Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 618, 619, 621, 622 and 623, 1990 on November 7, 1990. By a 5-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Cottingham, for adoption. Proposal Nos. 618, 619, 621, 622 and 623, 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, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West*
0 NAYS:
2 NOT VOTING: *Howard, Williams*

Proposal No. 618, 1990 was retitled GENERAL ORDINANCE NO. 141, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 141, 1990

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>
40, Pg. 6	Sherman Dr. & Thompson Rd.	Thompson Rd.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40, Pg. 6	Sherman Dr. & Thompson Rd.	None	Stop

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

Proposal No. 619, 1990 was retitled GENERAL ORDINANCE NO. 142, 1990 and reads as follows:

Journal of the City-County Council

CITY-COUNTY GENERAL ORDINANCE NO. 142, 1990

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>
16, Pg. 7	Moller Rd. & 46th St.	46th 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>
16, Pg. 7	Moller Rd. & 46th St.	None	Stop

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

Proposal No. 621, 1990 was retitled GENERAL ORDINANCE NO. 143, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 143, 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:

Tibbs Avenue, from Sixteenth Street
to Thirtieth Street, 35 MPH

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

Proposal No. 622, 1990 was retitled GENERAL ORDINANCE NO. 144, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 144, 1990

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

11,000 POUNDS GROSS WEIGHT

Twenty-fifth Street, from Burton Avenue
to Dr. Martin Luther King, Jr. Street

November 12, 1990

SECTION 2. 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

Roache Avenue, from Burton Avenue
to Dr. Martin Luther King, Jr. Street

Twenty-fifth Street, from
Dr. Martin Luther King, Jr. Street
to a point 200 feet east of Clifton Street

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

Proposal No. 623, 1990 was retitled GENERAL ORDINANCE NO. 145, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 145, 1990

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", 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

Dunlap Avenue, from
Minnesota Street to Plainfield Avenue

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

ANNOUNCEMENTS AND ADJOURNMENT

The President informed the Council that a tentative 1991 calendar has been distributed and will be voted on at the next Council meeting.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:50 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 12th day of November, 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)