

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

**REGULAR MEETINGS
MONDAY, NOVEMBER 26, 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 7:14 p.m. on Monday, November 26, 1990, with Councillor SerVaas presiding.

Councillor Gilmer introduced Rev. Gary Sellars from Mt. Pleasant Baptist Church who led the opening prayer. Councillor Gilmer invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

29 PRESENT: 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

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

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

Journal of the City-County Council

Chambers, on Monday, November 26, 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

November 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 on Monday, November 12, 1990 and in The Indianapolis COMMERCIAL on Tuesday, November 13, 1990, a copy of LEGAL NOTICE on General Ordinance Nos. 135 and 136, 1990.

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

November 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:

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 15, 1990, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 641, 643, 650, 654, 656, 657, 658 and 659, 1990, to be held on Monday, November 26, 1990, at 7:00 p.m., in the City-County Building.

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

November 20, 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 Rippy-Dick, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 109, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional \$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.

FISCAL ORDINANCE NO. 110, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional \$70,472 in 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.

FISCAL ORDINANCE NO. 111, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional \$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.

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FISCAL ORDINANCE NO. 112, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional \$63,748 in the State and Federal Grants Fund for the purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

GENERAL ORDINANCE NO. 139, 1990, amending Chapter 3, Article IV, Division 3, Firefighters Merit System, of the Code of Indianapolis and Marion County, Indiana.

GENERAL ORDINANCE NO. 140, 1990, amending the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 17 1/2, 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.

GENERAL ORDINANCE NO. 141, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 142, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 143, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-136, Alteration of prima facie speed limits.

GENERAL ORDINANCE NO. 144, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-224, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 145, 1990, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-224, Trucks on certain streets restricted.

SPECIAL RESOLUTION NO. 68, 1990, concerning veterans and the Indianapolis Veterans Day Council.

SPECIAL RESOLUTION NO. 69, 1990, concerning Judge Roy F. Jones.

SPECIAL RESOLUTION NO. 70, 1990, concerning Judge Richard L. Milan.

SPECIAL RESOLUTION NO. 71, 1990, concerning Judge John W. Tranberg.

SPECIAL RESOLUTION NO. 72, 1990, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 73, 1990, approving the leasing of certain real estate of the Department of Parks and Recreation.

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 Journal of November 12, 1990. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 695, 1990. This proposal concerns Judge Edward P. Madinger. Councillor Dowden, sponsor of the proposal, read the resolution and presented a framed document to Judge Madinger, who expressed his appreciation for the recognition.

Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 695, 1990 was adopted by unanimous voice vote.

Proposal No. 695, 1990 was retitled SPECIAL RESOLUTION NO. 74, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 1990

A SPECIAL RESOLUTION concerning Judge Edward P. Madinger.

WHEREAS, Edward P. Madinger served with distinction as Judge of the Probate Court of Marion County from 1967 through 1974, and as Judge of the Marion Superior Court from 1979 through 1990; and

WHEREAS, Judge Madinger is a graduate of Arsenal Technical High School and Indiana University School of Law, served overseas during World War II, is a retired U.S. Army Colonel, served in the Indiana General Assembly, holds memberships in several legal and judicial professional associations, and is active in the Lutheran Church, the American Legion, the Athenaeum Turners and in the Indianapolis Liederkranz; 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 Edward P. Madinger for his twenty years of service to the people of Indianapolis while serving as Probate Court of Marion County Judge and Marion Superior Court Judge.

SECTION 2. The Council wishes the best of health and happiness to Judge Madinger, to his wife Marjorie, and to their two children and four grandchildren.

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. 696, 1990. This proposal recognizes Fredrick L. Monschein and was sponsored by Councillors Durnil, Clark and Ruhmkorff. Councillor Durnil informed the Council that Mr. Monschein is out-of-town. Councillor Durnil moved, seconded by Councillor Clark, for adoption. Proposal No. 696, 1990 was adopted by unanimous voice vote.

Proposal No. 696, 1990 was retitled SPECIAL RESOLUTION NO. 75, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 75, 1990

A SPECIAL RESOLUTION recognizing Fredrick L. Monschein.

WHEREAS, Fredrick L. Monschein served as the elected Warren Township Assessor for the past twenty-four consecutive years; and

WHEREAS, this public service extended from January 1, 1967, through December 31, 1990; and

WHEREAS, during this tenure, Mr. Monschein has overseen the complex property tax reassessments of 1969, 1979 and 1989; and

WHEREAS, he has served as President of the Marion County Township Assessors Association and the Indiana Township Assessors Association, and as Chairman of the Indiana Township Assessors Legislative Committee; and

WHEREAS, Mr. Monschein organized and promoted the first International Association of Assessing Officers' Training School for assessors which was held in Indiana, and served as Indiana Assessors Association Director of Training from 1976 through 1979; and

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WHEREAS, Mr. Monschein has been active in local civic and community affairs through the Warren Schools Citizens' Screening Committee, as the President and long-time member of the Eastside Sertoma Club, and as a founder of the Warren Township Development Association in 1986; 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 Fredrick L. Monschein for serving nearly a quarter of a century as Assessor, Warren Township, Marion County, Indiana.

SECTION 2. The Council further recognizes Mr. Monschein's advocacy and contributions in training and professionalizing the science, skill and art of fair property assessment.

SECTION 3. The Council wishes Mr. Monschein the best of happiness and good health in the years ahead.

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

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

PROPOSAL NO. 697, 1990. This proposal concerns the Indianapolis Museum of Art and was sponsored by Councillors West, Williams and Irvin. Councillor West read the resolution and presented a framed document to Anna White, Chairman of the Board of Trustees of the Indianapolis Museum of Art, who expressed her appreciation of the recognition. Brett Weller, Director of the Indianapolis Museum of Art, also thanked the Council for the honor. Councillor Williams moved, seconded by Councillor Irvin, for adoption. Proposal No. 697, 1990 was adopted by unanimous voice vote.

Proposal No. 697, 1990 was retitled SPECIAL RESOLUTION NO. 76, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 1990

A SPECIAL RESOLUTION concerning the Indianapolis Museum of Art.

WHEREAS, the Indianapolis Museum of Art and its predecessors, the John Herron Art Institute and the Art Association of Indianapolis, have focused a variety of aesthetic forces and have inspired cultural leadership in Indianapolis since 1883; and

WHEREAS, the magnificence of the landscaping and structures on the forty-four acre campus distinguishes the Indianapolis Museum of Art as an unparalleled community resource enjoyed by over 450,000 estimated visitors annually; and

WHEREAS, the Indianapolis Museum of Art is now celebrating its Grand Reopening, begun October 14, through public presentation of its new \$36.5 million creative expansion and renovation of architectural distinction, which increases the museum's exhibition space by over eighty percent, and integrates the new Mary Fendrich Hulman Pavilion with bold renovations in the existing Clowes and Krannert Pavilions; 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, in behalf of all members of the Indianapolis community, congratulates the Indianapolis Museum of Art's Board of Governors, Trustees, staff, volunteer committees and architect Edward Larrabee Barnes for the vitality of their achievement.

SECTION 2. The Council commends major donors Mary Fendrich Hulman, Allen W. Clowes, Glen F. Warren (estate), Harrison Eiteljorg and Harold R. Victor as well as Lilly Endowment, Inc., the Krannert Charitable Trust, the National Endowment for the Arts, the Nicholas H. Noyes, Jr. Memorial Foundation, Inc. and the Indianapolis Foundation, and extends its additional appreciation for the broad community philanthropy manifested in this artistic capital investment, which has attracted national renown and symbolizes a new cultural plateau for Indianapolis.

SECTION 3. The Council encourages its citizens and community institutions to join together in this celebration of the extended and expanded resources and programs which will comprise an auspicious base for the Indianapolis Museum of Art for the century ahead.

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

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

PROPOSAL NO. 699, 1990. This proposal approves a schedule of regular council meetings for the year 1991. Councillor Coughenour moved to amend the proposal by deleting the March 13, 1991 meeting and adding a meeting on July 1, 1991. Councillor Rhodes offered an amendment to Councillor Coughenour's motion by changing the May 13, 1990 meeting to May 20, 1990. This motion passed by unanimous voice vote. Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption. Proposal No. 699, 1990, as amended, was adopted by unanimous voice vote.

Proposal No. 699, 1990, as amended, was retitled COUNCIL RESOLUTION NO. 76, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 76, 1990

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1991.

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

SECTION 1. The City-County Council hereby approves the following schedule of regular meeting for the year 1991:

- | | |
|------------------------------|--------------------------------|
| 1) Monday, January 7, 1991 | 12) Monday, July 22, 1991 |
| 2) Tuesday, January 22, 1991 | 13) Monday, August 5, 1991 |
| 3) Monday, February 4, 1991 | 14) Monday, August 26, 1990 |
| 4) Monday, February 25, 1991 | 15) Monday, September 9, 1991 |
| 5) Monday March 25, 1991 | 16) Monday, September 30, 1991 |
| 6) Monday, April 8, 1991 | 17) Monday, October 14, 1991 |
| 7) Monday, April 22, 1991 | 18) Monday, October 28, 1991 |
| 8) Monday, May 20, 1991 | 19) Monday, November 11, 1991 |
| 9) Monday, June 3, 1991 | 20) Monday, November 25, 1991 |
| 10) Monday, June 17, 1991 | 21) Monday, December 9, 1991 |
| 11) Monday, July 1, 1991 | |

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 684, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the officers of the Consolidated City of Indianapolis and Marion County to allow Center Township to borrow money to fund poor relief"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 685, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the officers of the Consolidated City of Indianapolis and Marion County to disallow Center Township to borrow money to fund poor relief"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 686, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$14,077 for the County Auditor to transfer out of the dormant County Construction Fund into the County General Fund as recommended by the State Board of Accounts"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 687, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,600 for the County Auditor to transfer out of the dormant Economic Development Administration Fund into the County General Fund as recommended by the State Board of Accounts"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 688, 1990. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating the proceeds of a note of the Park District of the City of Indianapolis in an amount not to exceed \$3,400,000"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 689, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,683 for the Superior Court, Civil Division, Room 2, to purchase cordless microphones, receivers and a terminal for JUSTIS II"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 690, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$43,107 out of the Home Detention User Fee Fund for the Community Corrections Agency to fund two personnel positions and to purchase electronic surveillance equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 691, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$50,000 for the County Sheriff to help pay for the unexpected increase in December 1990 fuel costs for the Sheriff's fleet"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 692, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code prohibiting the keeping of horses and certain other animals in certain locations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 693, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning dog licenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 694, 1990. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Eugene and Rader Streets"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 700-705, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 21, 1990. The Council did not schedule Proposal Nos. 700-705, 1990, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 700-705, 1990, were retitled REZONING ORDINANCE NOS. 199-204, 1990, and are identified as follows:

REZONING ORDINANCE NO. 199, 1990. 90-Z-185 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19

5630 WEST SOUTHPORT ROAD, INDIANAPOLIS.

JACK O. and LERITTIA GALE request the rezoning of 5 acres, being in the D-A district, to the D-2 classification to provide for the construction of a single-family residence.

REZONING ORDINANCE NO. 200, 1990. 90-Z-189 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 5

11830 EAST 30TH STREET, INDIANAPOLIS.

DAVIS CUSTOM HOMES, INC. requests the rezoning of 3 acres, being in the D-A district, to the D-3 classification to provide for the construction of a single-family residence.

REZONING ORDINANCE NO. 201, 1990. 90-Z-192 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12

8309 EAST 30TH STREET, INDIANAPOLIS.

INDIANAPOLIS POWER AND LIGHT COMPANY, by Robert C. Crews II, requests the rezoning of 1.25 acres, being in the I-3-S district, to the SU-18 classification to provide for the construction of an electrical substation.

REZONING ORDINANCE NO. 202, 1990. 90-Z-196 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1

4705 WEST 72ND STREET, INDIANAPOLIS.

CHURCH ALIVE & CHRISTIAN F. C. requests the rezoning of 0.482 acre, being in the C-1 district, to the SU-1 classification to provide for a church within an existing building.

REZONING ORDINANCE NO. 203, 1990. 90-Z-197 (corrected notice) CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21

1121 EAST GEORGIA, INDIANAPOLIS.

DEPARTMENT OF PUBLIC SAFETY requests the rezoning of 7.99 acres, being in the I-4-U district, to the SU-9 classification to provide for the construction of a facility for use by the Mounted Horse Patrol of the Indianapolis Police Dept.

REZONING ORDINANCE NO. 204, 1990. 90-Z-198 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19

4851 TINCHER ROAD, INDIANAPOLIS.

C & C INVESTMENTS, LTD., by Stephen D. Mears, requests the rezoning of 9.27 acres, being in the D-A district, to the D-1 classification to provide for residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 611, 1990. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 611, 1990 on November 20, 1990. The 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. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

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The President called for public testimony at 7:49 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Brooks, for adoption. Proposal No. 611, 1990, was 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, Irvin, Jones, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West, Williams*

0 NAYS:

2 NOT VOTING: *McGrath, Solenberg*

Proposal No. 611, 1990 was retitled FISCAL ORDINANCE NO. 113, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 113, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Fifty Thousand Dollars (\$150,000) in the Consolidated Fund for purposes of the Department of Metropolitan Development Planning Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development Planning Division to share equally in expenses for a study with: Indianapolis International Airport, the State, Hendricks County, and the Department of Transportation in order to develop conceptual plans for an optimum configuration of the proposed I-70 Bridgeport Road interchange, and connecting roadways.

SECTION 2. The sum of One Hundred Fifty Thousand Dollars (\$150,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT PLANNING DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>\$150,000</u>
TOTAL INCREASE	\$150,000

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

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT PLANNING DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	\$ 30,000
Unappropriated and Unencumbered Consolidated County Fund	<u>120,000</u>
TOTAL REDUCTION	\$150,000

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

PROPOSAL NO. 641, 1990. Councillor Rhodes reported that the Administration Committee heard Proposal No. 641, 1990 on November 19, 1990. The proposal authorizes tax anticipation borrowing for the City of Indianapolis during the period from January 1, 1991 through December 31, 1991. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Brooks stated that he opposes the process that the City uses in naming the underwriter for the tax warrants. He will be voting against the tax anticipation borrowing

for 1991 just as he did for the tax anticipation borrowing for 1990. He said that he was under the impression that the Administration Committee was going to study this process.

The President called for public testimony at 7:59 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 641, 1990, was adopted on the following roll call vote; viz:

23 YEAS: Borst, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West

5 NAYS: Boyd, Brooks, Moriarty, Solenberg, Williams

1 NOT VOTING: Mukes-Gaither

Proposal No. 641, 1990 was retitled FISCAL ORDINANCE NO. 114, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 114, 1990

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated County Fund, the Park District Fund, the Flood Control General Fund, the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund, the Sanitary Solid Waste General Fund, during the period January 1, 1991, through December 31, 1991, in anticipation of current taxes levied in the year 1990 and collectible in the year 1991 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the taxes to be received in said Funds to the payment of said Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

(a) that there will be insufficient funds in the Consolidated County Fund to meet the current expenses of the Consolidated County Fund, payable from said Fund prior to the 1991 distributions of Taxes levied for such account and the 1991 distributions of Taxes to be collected for the Consolidated County Fund will collectively amount to more than Eight Million Two Hundred Thousand Dollars (\$8,200,000) and the interest cost of making temporary loans for the Consolidated County Fund;

(b) that there will be insufficient funds in the Park District Fund to meet the current expenses of the Park District Fund prior to the 1991 distributions of Taxes to be levied for said Fund and the 1991 distributions of Taxes to be collected for the Park District Fund will collectively amount to more than Eight Million Four Hundred Thousand Dollars (\$8,400,000) and the interest cost of making temporary loans for the Park District Fund;

(c) that there will be insufficient funds in the Flood Control General Fund to meet the current expenses of the Flood Control General Fund payable from said Fund prior to the 1991 distributions of Taxes levied for said Fund, and that the Board of Public Works of the City has requested the City to obtain temporary loans and issue Warrants to evidence such loans for the Flood Control General Fund in the maximum principal amount of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) payable from the 1991 distributions of Taxes levied for said Fund;

(d) that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from Consolidated City Police Force Account prior to the 1991 distributions of Taxes levied for said Account, and the 1991 distributions of Taxes to be collected for the Consolidated Police Force Account will collectively amount to more than Twenty-five Million Six Hundred Thousand Dollars (\$25,600,000) and the interest cost of making temporary loans for the Consolidated City Police Force Account;

(e) that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the 1991 distributions of Taxes levied for said Fund, and the 1991 distributions of Taxes collected for the Police Pension Fund will collectively amount to more than Two Million Six Hundred Fifty Thousand Dollars (\$2,650,000) and the interest cost of making temporary loans for the Police Pension Fund;

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(f) that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from said Account prior to the 1991 distributions of Taxes levied for said Account, and the 1991 distributions of Taxes to be collected for the Consolidated City Fire Force Account will collectively amount to more than Twenty One Million Eight Hundred Fifty Thousand Dollars (\$21,850,000) and the interest cost of making temporary loans for the Consolidated City Fire Force Account;

(g) that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the 1991 distributions of Taxes levied for said Fund, and the 1991 distributions of Taxes to be collected for the Firemen's Pension Fund will collectively amount to more than Five Million Dollars (\$5,000,000) and the interest cost of making temporary loans for the Firemen's Pension Fund;

(h) that there will be insufficient funds in the Sanitary Solid Waste General Fund to meet the current expenses of the Sanitary Solid Waste General Fund prior to the 1991 distributions of Taxes levied for said Fund, and that the Board of Public Works of the City has requested the City to obtain temporary loans and issue Warrants to evidence such loans, and the 1991 distributions will collectively amount to more than Eleven Million Two Hundred Thousand Dollars (\$11,200,000) and the interest cost of making temporary loans for the Sanitary Solid Waste General Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said Funds and Accounts in anticipation of Taxes for said Funds and Accounts actually levied for the year 1990 and in course of collection for the year 1991; now, therefore:

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

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated County Fund of the City in the maximum principal amount of Eight Million Two Hundred Thousand Dollars (\$8,200,000) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Consolidated County Fund, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated County Fund from the 1991 distributions of Taxes for the Consolidated County Fund, to the Consolidated County Fund, the 1991 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Consolidated County Fund, 1991 Budget Fund No. 102, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of the Park District Fund of the City in the maximum principal amount of Eight Million Four Hundred Thousand Dollars (\$8,400,000) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Park District Fund, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Park District Fund, to the Park District Fund, the 1991 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Park District Fund, 1991 Budget Fund No. 170, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. The City is authorized to borrow on temporary loans for the use and benefit of the Flood Control General Fund of the City in the maximum principal amount of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Flood Control General Fund, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Flood Control General Fund, to the Flood Control General Fund, the 1991 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Flood Control General Fund, 1991 Budget Fund No. 140, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 4. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Police Force Account of the City in the maximum principal amount of Twenty-five Million Six Hundred Thousand Dollars (\$25,600,000) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Consolidated City Police Force Account, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Police Force Account, to the Consolidated City Police Force Account, the 1991 Budget Payments of Loans (hereby created) for the payment

of the principal of the Warrants evidencing such temporary loans, and the Consolidated City Police Force Account, 1991 Budget Fund No. 160, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 5. The City is authorized to borrow on temporary loans for the use and benefit of the Police Pension Fund of the City in the maximum principal amount of Two Million Six Hundred Thousand Dollars (\$2,600,000) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Police Pension Fund, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Police Pension Fund, to the Police Pension Fund, the 1991 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Police Pension Fund, 1991 Budget Fund No. 810, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 6. The City is authorized to borrow on temporary loans for the use and benefit of the Consolidated City Fire Force Account of the City in the maximum principal amount of Twenty One Million Eight Hundred Fifty Thousand Dollars (\$21,850,000) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Consolidated City Fire Force Account, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Consolidated City Fire Force Account, to the Consolidated City Fire Force Account, the 1991 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Consolidated City Fire Force Account, 1991 Budget Fund No. 161, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 7. The City is authorized to borrow on temporary loans for the use and benefit of the Firemen's Pension Fund of the City in the maximum principal amount of Five Million Dollars (\$5,000,000) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Firemen's Pension Fund, to the Firemen's Pension Fund, the 1991 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Firemen's Pension Fund, 1991 Budget Fund No. 811, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 8. The City is authorized to borrow on temporary loans for the use and benefit of the Sanitary Solid Waste General Fund of the City in the maximum principal amount of Eleven Million Two Hundred Thousand Dollars (\$11,200,000) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by the Warrants. The Warrants, including interest, shall be payable from the Sanitary Solid Waste General Fund, and there is hereby appropriated and pledged to the payment of the Warrants, including interest, a sufficient amount of the Taxes to be received in the Sanitary Solid Waste General Fund, to the Sanitary Solid Waste General Fund, the 1991 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the Sanitary Solid Waste General Fund, 1991 Budget Fund No. 130, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 9. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates not to exceed a maximum rate of ten percent per annum, to be determined as hereinafter provided in Section 16 and subsection (b). The Warrants for each Fund or Account may be issued in one series, designated Series 1991 Warrants ("Series 1991 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The Series A Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1991 for that Fund or Account. The Series B Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the December 1991 distribution of Taxes for that Fund or Account. The 1991 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. All Series A Warrants shall mature and be payable not later than June 30, 1991. All Series B Warrants and 1991 Warrants shall mature and be payable not later than December 31, 1991. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 10 (a). The Warrants are not subject to redemption if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

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SECTION 10. (a) The Controller may sell the Warrants in one or more series as set forth in Section 9, pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have said Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form hereinafter provided.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause to be published to notice of sale twice, with first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for said Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for said Warrants, or portion thereof bid for. If sold at public sale, said Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the Warrants in one or more series to the purchaser or purchasers of said Warrants at public sale in exchange for the agreed purchase price in immediately available funds. The Warrants may all be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understanding with respect to said delivery by and between the Controller and the purchaser of the Warrants at public sale.

SECTION 11. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amount, dates, statutory citation, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT, SERIES _____
_____(FUND)(ACCOUNT)

On the _____ date of _____, 1990, the City of Indianapolis ("City"), Marion County, Indiana promises to pay (to the bearer) (to The Indianapolis Local Public Improvement Bond Bank), at the office of the Marion County Treasurer, ex officio Treasurer of the City, or _____, the sum of _____ (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at a rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 1989, and payable in (the first installment) (the second installment) for the year 1990 ("Taxes"), which Taxes are now in course of collection for the _____ of the City, with which to pay general, current operating expenses of the _____.

This Warrant is in the principal amount of _____ (\$ _____), evidencing a temporary loan in anticipation of the Taxes for the _____ (Fund)(Account).

The temporary loan was authorized by ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 1989, for the purpose of providing funds for the _____ (Fund)(Account) in compliance with I.C. 36-3-4-22.

The consideration for the Warrant is a loan made to the City in anticipation of Taxes levied for the _____ (Fund)(Account) of the City for the year of 1989, payable in (the first installment) (the second installment) for the year 1990, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of said Warrants have been done and performed as provided by law.

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IN WITNESS WHEREOF, the City of Indianapolis has caused the Warrant to be signed in its corporate name by the facsimile signatures of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of said City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this _____ day of _____, 1990.

CITY OF INDIANAPOLIS

BY: _____
Mayor, City of Indianapolis
William H. Hudnut, III

COUNTERSIGNED:

BY: _____
Controller, City of Indianapolis
Fred L. Armstrong

ATTEST:

BY: _____
Clerk, City of Indianapolis
Beverly S. Rippey-Dick

EXHIBIT A

(Advances)

EXHIBIT B

(Maximum Monthly Cumulative Advance)

SECTION 12. Said Warrants shall be executed in the name of the City by the facsimile signature of the Mayor, countersigned by the Controller of the City, the corporate seal of said City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 13. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds will be used exclusively for the purposes of the respective Funds or Accounts.

(b) No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substantially constitute a loan of the Warrant proceeds.

(d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

(e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

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(f) It shall be not an event of default under this ordinance, including without limitation subsections (a) through (d) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

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

PROPOSAL NO. 643, 1990. Councillor Cottingham reported that the County and Townships Committee heard Proposal No. 643, 1990 on November 13, 1990. The proposal authorizes tax anticipation borrowing for the County General Fund and the County Welfare Fund during the period from January 1, 1991 through December 31, 1991. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:59 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Holmes, for adoption. Proposal No. 643, 1990, was adopted on the following roll call vote; viz:

23 YEAS: Boyd, Brooks, Clark, Cottingham, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, McGrath, Moriarty, Rhodes, Ruhmkorff, Schneider, SerVaas, Strader, West, Williams

0 NAYS:

6 NOT VOTING: Borst, Coughenour, Jones, Mukes-Gaither, Shaw, Solenberg

Proposal No. 643, 1990 was retitled FISCAL ORDINANCE NO. 115, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 115, 1990

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund and the County Welfare Fund ("Funds") during the period January 1, 1991, through December 31, 1991, in anticipation of current taxes levied in the year 1990 and collectible in the year 1991 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of the Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to pay current expenses from the County General Fund and the County Welfare Fund pending the receipt of Taxes actually levied in 1990 and in the process of collection in 1991, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds and to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

(a) that there will be insufficient funds in the County General Fund to meet the current expenses payable from the County General Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County General Fund will collectively amount to more than Fifty Million Six Hundred Seventy Five Thousand and Twelve Dollars (\$50,675,012) and the interest cost of making temporary loans for the County General Fund; and

(b) that there will be insufficient funds in the County Welfare Fund to meet the current expenses payable from such Fund prior to the distributions of Taxes levied for such Fund, and the distributions of Taxes to be collected for the County Welfare Fund will collectively amount to more than Eighteen Million Six Hundred Fifty-Seven Thousand Three Hundred Fifty Dollars (\$18,657,350) and the interest cost of making temporary loans for the County Welfare Fund; and

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WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes actually levied for the year 1990 and in course of collection for the year 1991; now, therefore:

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

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the County General Fund of the County in the maximum principal amount of Fifty Million Five Hundred Forty Thousand Ten Dollars (\$50,540,010) in anticipation of Taxes for the Fund for the year 1991, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County General Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County General Fund from the June and December 1991 distributions of Taxes for the County General Fund, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the County Welfare Fund of the County in the maximum principal amount of Fourteen Million Nine Hundred Twenty-Five Thousand Eight Hundred Eighty Dollars (\$14,925,880) in anticipation of Taxes for the Fund to be collected for the year 1991, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the County Welfare Fund, and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the County Welfare Fund from the June and December 1991 distributions of Taxes for the County Welfare Fund, for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of ten percent per annum, to be determined as provided in Section 4 and subsection (b). The Warrants for each Fund may be issued in one series, designated Series 1991 Warrants ("Series 1991 Warrants") or in two series, designated Series A and Series B ("Series A Warrants" and "Series B Warrants", respectively). The 1991 Warrants for each Fund may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series A Warrants for each Fund may be issued in an amount not to exceed the amount of the distribution of Taxes scheduled for June 1991 for that Fund. The Series B Warrants for each Fund may be issued in an amount not to exceed the amount of the December 1991 distribution of Taxes for that Fund. All Series A Warrants shall mature and be payable not later than June 30, 1991. All Series B Warrants and 1991 Warrants shall mature and be payable not later than December 31, 1991. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(b) The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 4. (a) The Auditor may sell the Warrants in one or more series as set forth in Section 3, pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and the Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Auditor may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank or the Indiana Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor, and the Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank or a condition to the purchase of such Warrants.

(c) The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants, or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants.

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No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to said delivery by and between the Auditor and the purchaser of the Warrants at public sale.

SECTION 5. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

MARION COUNTY
TAX ANTICIPATION TIME WARRANT, SERIES 1991 _____
_____(FUND)

On the ___ date of _____, 1991, the Board of Commissioners of the County of Marion, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of _____ Dollars (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of ___% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at a rate of ___% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 1990, and payable from the [first installment] [second installment] for the year 1991 ("Taxes"), which Taxes are now in the course of collection for the County _____ Fund, with which to pay general, current, operating expenses.

This Warrant in the principal amount of _____ Dollars (\$ _____), evidencing a temporary loan in anticipation of the Taxes for the County _____ Fund.

The temporary loan was authorized by ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 1990, for the purpose of providing funds for the County _____ Fund, in compliance with IC 36-2-6.

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for County _____ Fund for the year of 1990, payable from the [first installment] [second installment] for the year 1991, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the Warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the Board of Commissioners of Marion County Indiana, has caused the Warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor, and attested by the Auditor, and the corporate seal of the Board of Commissioners to be hereunto affixed.

Dated this ___ day of _____, 1991.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF MARION

BY: _____
Commissioner

BY: _____
Commissioner

BY: _____
Commissioner

COUNTERSIGNED:

BY: _____
Mayor, City of Indianapolis

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ATTEST:

BY: _____
Auditor, Marion County

EXHIBIT A

(Advances)

EXHIBIT B

(Maximum Cumulative Monthly Advances)

SECTION 6. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as amended and in existence on the date of issuance of the Warrants ("Code") and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

(b) No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly (i) be secured by an interest in property used or to be used for a private business use or payments in respect of such property or (ii) be derived from payments in respect of such property or borrowed money used or to be used for a private business use.

(c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

(d) The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.

(e) The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

(f) It shall be not an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

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

PROPOSAL NO. 650, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 650, 1990 on November 14, 1990. The proposal appropriates \$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. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

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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. 650, 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, SerVaas, Shaw, Solenberg, Strader, West, Williams*
1 NAY: *Schneider*

Proposal No. 650, 1990 was retitled FISCAL ORDINANCE NO. 116, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 116, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Seven Thousand Seven Hundred Fifty-four Dollars (\$7,754) in the State and Federal Grants Fund for purposes of the Prosecuting attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (w) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting attorney to provide additional appropriation to an existing APS grant to contract with the Multi Service Center.

SECTION 2. The sum of Seven Thousand Seven Hundred Fifty-four Dollars (\$7,754) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>\$7,754</u>
TOTAL INCREASE	\$7,754

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>\$7,754</u>
TOTAL REDUCTION	\$7,754

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

PROPOSAL NO. 654, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 654, 1990 on November 14, 1990. The proposal appropriates \$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. 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 8:02 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 654, 1990, was 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, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams

0 NAYS:

2 NOT VOTING: Howard, Rhodes

Proposal No. 654, 1990 was retitled FISCAL ORDINANCE NO. 117, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 117, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Three Thousand Six Hundred Dollars (\$3,600) in the State & 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 (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 act as subgrantee for the Indiana Criminal Justice Institute and pay for personnel services for the Julian Center.

SECTION 2. The sum of Three Thousand Six Hundred (\$3,600) 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>
3. Other Services and Charges	<u>\$3,600</u>
TOTAL INCREASE	\$3,600

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>\$3,600</u>
TOTAL REDUCTION	\$3,600

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

PROPOSAL NO. 657, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 657, 1990 on November 14, 1990. The proposal appropriates \$120,000 for the Metropolitan Emergency Communications Agency (MECA) 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. By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider asked if leasing the Oaklandon Water Tower is the only alternative MECA has, and Councillor Dowden replied that a new tower would cost \$150,000 and would delay the start of the communications system.

President SerVaas passed the gavel to Councillor West.

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President SerVaas stated that he would like the Public Safety and Criminal Justice Committee to determine if this \$120,000 could be a one-time charge rather than a ten-year lease fee.

Councillor West returned the gavel to President SerVaas.

The President called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Irvin, for adoption. Proposal No. 657, 1990, was adopted on the following roll call vote; viz:

22 YEAS: Boyd, Brooks, Curry, Dowden, Durnil, Giffin, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West

6 NAYS: Clark, Cottingham, Coughenour, Gilmer, Strader, Williams

1 NOT VOTING: Borst

Proposal No. 657, 1990 was retitled FISCAL ORDINANCE NO. 118, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 118, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Twenty Thousand Dollars (\$120,000) in the Metropolitan Emergency Communications Fund for purposes of the Metropolitan Emergency Communications Agency and reducing the unappropriated and unencumbered balance in the Metropolitan Emergency Communications Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Metropolitan Emergency Communications Agency to provide a one-time payment of One Hundred Twenty Thousand Dollars (\$120,000) to the City of Lawrence in exchange for the use of the Oaklandon Water Tower, 6500 No. Oaklandon Road, located in the City of Lawrence, for ten (10) years as a receive site for signals from the county-wide emergency communications system to ensure minimum essential operations.

SECTION 2. The sum of One Hundred Twenty Thousand (\$120,000) 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>METROPOLITAN EMERGENCY COMMUNICATIONS AGENCY</u> 3. Other Services and Charges TOTAL INCREASE	<u>METROPOLITAN EMERGENCY COMMUNICATIONS FUND</u> <u>\$120,000</u> \$120,000
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SECTION 4. The said additional appropriations are funded by the following reductions:

Unappropriated and Unencumbered Metropolitan Emergency Communications Fund TOTAL REDUCTION	<u>METROPOLITAN EMERGENCY COMMUNICATIONS FUND</u> <u>\$120,000</u> \$120,000
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SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 658, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 658, 1990 on November 14 and

November 26, 1990. The proposal transfers and appropriates \$305,000 for the Superior Court, Juvenile Division, to adequately fund personal services for December, 1990. On November 14, 1990 Proposal No. 658, 1990 was amended by reducing the appropriation to \$256,818; on November 26, 1990 the proposal was amended by increasing the appropriation to \$260,232. By a 5-4 vote on November 26, 1990, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Holmes, for adoption.

Councillors Shaw and Curry stated that they are opposed to setting a new precedent of appropriating moneys out of the County General Fund at this time of year so that an agency can meet its December payroll. They will vote "no" on Proposal No. 658, 1990.

Councillor Williams commented that she does not like to be in this situation where the employees will suffer as opposed to the person who is responsible for managing this budget if the Council votes "no" on this proposal .

Councillor Borst stated that he will vote against the ordinance because (1) it is a crisis-timing situation, and (2) the \$260,000 appropriation does not solve the basic problem.

Councillor Boyd said that he sees no other alternative than to vote for the proposal, but he would like to know how the Juvenile Center's budget got to be a crisis situation. He would hope that some sort of mechanism is put in place so that the Council will not be in a similar situation next year. He would also like to know what funds there are which have been encumbered and the purchase orders canceled and where those moneys are now. He believes some type of accounting process should be put in place even if it has to be a simple resolution which would say when a purchase order is canceled then the encumbered moneys go back to the general fund or some other fund so that the Council can identify these moneys and know where they are.

Robert Elrod, General Counsel, stated that the need to watch encumbrances better is well taken, but the Auditor and Controller's present practice is to annually ask each agency at the end of the calendar year if the encumbrance which is on the books is going to be spent; if not, it is canceled.

Councillor Rhodes expressed his opinion that the budget staff should review the amount of dollars spent on salary in each city and county fund monthly, and if the agency is overspending, the agency should be notified. He also stated that the General Assembly has allowed an excessive levy for debt service on a new jail or a new juvenile detention center, but has failed to address the issue of operational costs in these new facilities.

The President called for public testimony at 9:00 p.m.

John Henry, a youth manager at the detention center, stated that a lot of the Juvenile Center employees do not do work there for the money, but because they care for the juveniles.

President SerVaas passed the gavel to Councillor West.

President SerVaas stated that he has a lot of respect for Judge Payne, Judge of the Superior Court, Juvenile Division, but there is a real problem because the State in its wisdom made

the judge responsible for running the center, building the center, and staffing the center. He is under a lot of pressure to spend money to achieve goals. He believes that the Council has to address this matter, because next year it will become an even bigger problem.

Councillor West returned the gavel to President SerVaas.

Proposal No. 658, 1990, was adopted on the following roll call vote; viz:

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

Proposal No. 658, 1990 was retitled FISCAL ORDINANCE NO. 119, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 119, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating Fifty-seven Thousand Dollars (\$57,000) and appropriating an additional Two Hundred Three Thousand Two Hundred Thirty-two Dollars (\$203,232) in the County General Fund for purposes of the Superior Court Juvenile Division/Detention Center 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 (JJ) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court Juvenile Division/Detention Center to provide for a shortfall in Personal Services.

SECTION 2. The sum of Two Hundred Sixty Thousand Two Hundred Thirty-two Dollars (\$260,232) 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>SUPERIOR COURT JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>\$260,232</u>
TOTAL INCREASE	\$260,232

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

<u>SUPERIOR COURT JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$ 48,256
4. Capital Outlay	8,744
Unappropriated and Unencumbered County General Fund	<u>203,232</u>
TOTAL REDUCTION	\$260,232

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

PROPOSAL NO. 659, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 659, 1990 on November 14, 1990. The proposal appropriates \$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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Shaw, for adoption. Proposal No. 659, 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, McGrath, Moriarty, Mukes-Gaither, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West, Williams*

0 NAYS:

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

Proposal No. 659, 1990 was retitled FISCAL ORDINANCE NO. 120, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 120, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Seventeen Thousand Five Hundred Dollars (\$17,500) in the Supplemental Adult Probation Fees Fund for purposes of the Superior Court-Criminal Division Probation Department and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (kk) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court-Criminal Division Probation Department to purchase word processing equipment & software, dictation/transcribing equipment, a printer, electronic monitoring equipment (leased), cable installation and maintenance.

SECTION 2. The sum of Seventeen Thousand Five Hundred Dollars (\$17,500) 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>SUPERIOR COURT, CRIMINAL DIVISION PROBATION DEPARTMENT</u>	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
3. Other Services and Charges	\$ 7,767
4. Capital Outlay	<u>9,733</u>
TOTAL INCREASE	\$17,500

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

	<u>SUPPLEMENTAL ADULT PROBATION FEES FUND</u>
Unappropriated and Unencumbered	
Supplemental Adult Probation Fees Fund	<u>\$17,500</u>
TOTAL REDUCTION	\$17,500

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 596, 1990. Councillor McGrath reported that the Rules and Policy Committee heard Proposal No. 596, 1990 on November 19, 1990. The proposal concerns

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redistricting of the councilmanic districts. Proposal No. 596, 1990 was amended in Committee by changing the committee that would handle the redistricting from the Committee on Committees to the Rules and Policy Committee. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor McGrath moved, seconded by Councillor Cottingham, for adoption.

Councillor Williams moved, seconded by Councillor Howard, to add an additional African-American Democrat to the Rules and Policy Committee for the purpose of this proposal only.

Councillor Curry stated that he believes the intent of the consent decree will be met without changing the character and complex of the Rules and Policy Committee. Councillor West stated that all policy matters are assigned to the Rules and Policy Committee and no one had previously complained about the composition of the group.

Councillor Strader stated he would support Councillor Williams' amendment if it said, "to add an additional African-American to the Rules and Policy Committee".

Councillor Boyd said that he supports Councillor Williams' amendment.

Councillors Durnil and Clark stated their opposition to Councillor Williams' amendment.

Councillor Williams' amendment to Proposal No. 596, 1990 was defeated on the following roll call vote; viz:

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

Proposal No. 596, 1990, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 596, 1990, as amended, was retitled COUNCIL RESOLUTION NO. 75, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 75, 1990

A COUNCIL RESOLUTION concerning redistricting of the councilmanic districts.

WHEREAS, certain persons including some members of this council filed a complaint in Federal Court against the City and other members of this Council, seeking among other things, the redistricting of the councilmanic districts; and

WHEREAS, the parties have agreed, and the court has approved, settlement of certain of the issues in that law suit; and

WHEREAS, as part of that settlement the council is obligated to establish new council district boundaries before the 1991 elections based on 1990 U.S. Decennial Census data; and

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WHEREAS, the lawful establishment of such boundaries, pursuant to the settlement, will require the acquisition of certain computer capabilities, and the adoption of certain procedures, for accomplishing such redistricting, now therefore:

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

SECTION 1. The Rules and Public Policy Committee shall supervise the redistricting process and conduct public hearings on redistricting plans.

SECTION 2. The General Counsel is authorized to prepare a Request for Proposal for acquisition of such computer equipment and software as may be appropriate for the accomplishment of the establishment of new council district boundaries, to advertise such request, receive proposals, analyze such proposals and recommend agreements for such acquisitions.

SECTION 3. The Rules and Public Policy Committee in consultation with the General Counsel shall recommend to the Council procedures and schedules for preparation and consideration of redistricting proposals.

SECTION 4. This resolution shall be in full force and effect from and after adoption.

PROPOSAL NO. 607, 1990. Councillor Rhodes reported that the Administration Committee heard Proposal No. 607, 1990 on November 7 and 19, 1990. Proposal No. 607, 1990, sponsored by Councillors Howard, Hawkins, Holmes and Shaw, amends City-County Fiscal Ordinance No. 95, 1990 to modify committee compensation for councillors for 1991. Councillor Rhodes said that the proposal was amended in Committee by adding the following text to Section 1 (c), paragraph 3:

Provided that if the aggregate total compensation earned under this paragraph 3 as of the end of the fourth quarter is less than the total appropriated for such purposes, the balance shall be prorated to those councillors who attended more than forty (40) meetings based on the number of meetings attended in excess of forty (40), but not to exceed Fifty-nine dollars (\$59) per meeting times ten (10) meetings.

By a 5-0 vote on November 19, 1990, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Shaw, for adoption.

Councillors Coughenour, Howard, Williams, Shaw and Holmes stated their support for Proposal No. 607, 1990.

Councillors Moriarty, Durnil, Curry, Clark, Golc, McGrath, Ruhmkorff, Gilmer and Strader stated their opposition to Proposal No. 607, 1990.

Proposal No. 607, 1990 was defeated by the following roll call vote; viz:

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

President SerVaas passed the gavel to Councillor West.

President SerVaas stated that he would like to explain his vote. He said that he voted for Proposal No. 607, 1990 because the Committee did an excellent job amending Fiscal Ordinance No. 95, 1990, and the committee apportionment is fair. Committee members are assigned to their committee by the Committee on Committees and if the chairman calls a

committee meeting and the Councillors attend the meeting then, in his opinion, they should be compensated.

Councillor West returned the gavel to President SerVaas.

Councillor Rhodes asked permission to explain his vote. Permission was given. Councillor Rhodes stated that he voted against Proposal No. 607, 1990 because he believes it is the right issue at the wrong time and that this matter should be taken up during normal budget hearings.

PROPOSAL NO. 609, 1990. Councillor Cottingham reported that the County and Townships Committee heard Proposal No. 609, 1990 on November 13, 1990. The proposal transfers and appropriates \$760 for the Washington Township Assessor to purchase office chairs. 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. 609, 1990 was adopted on the following roll call vote: viz:

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

2 NAYS: *Howard, Strader*

4 NOT VOTING: *Giffin, Irvin, McGrath, Solenberg*

Proposal No. 609, 1990 was retitled FISCAL ORDINANCE NO. 121, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 121, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Seven Hundred Sixty Dollars (\$760) in the County General Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that agency.

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(u) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Washington Township Assessor to purchase office chairs.

SECTION 2. The sum of Seven Hundred Sixty Dollars (\$760) 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>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$760
TOTAL INCREASE	\$760

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

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	\$760
TOTAL REDUCTION	\$760

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

PROPOSAL NO. 642, 1990. Councillor Rhodes reported that the Administration Committee heard Proposal No. 642, 1990 on November 19, 1990. The proposal transfers and appropriates \$50,000 for the Department of Administration, Finance Division, to pay for salary increases resulting from the city-wide clerical audit. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 642, 1990 was adopted on the following roll call vote; viz:

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

Proposal No. 642, 1990 was retitled FISCAL ORDINANCE NO. 122, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 122, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Fifty Thousand Dollars (\$50,000) in the City General Fund for purposes of the Department of Administration Finance 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 Administration Finance Division to pay for salary increases resulting from the city-wide clerical audit.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF ADMINISTRATION</u> <u>FINANCE DIVISION</u>	<u>CITY GENERAL FUND</u>
1. Personal Services	<u>\$50,000</u>
TOTAL INCREASE	\$50,000

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

<u>DEPARTMENT OF ADMINISTRATION</u> <u>FINANCE DIVISION</u>	<u>CITY GENERAL FUND</u>
3. Other Services & Charges	<u>\$50,000</u>
TOTAL REDUCTION	\$50,000

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

PROPOSAL NO. 644, 1990. Councillor Cottingham reported that the County and Townships Committee heard Proposal No. 644, 1990 on November 13, 1990. The proposal transfers and appropriates \$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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation

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that it do pass. Councillor Cottingham moved, seconded by Councillor Holmes, for adoption. Proposal No. 644, 1990 was adopted on the following roll call vote; viz:

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

Proposal No. 644, 1990 was retitled FISCAL ORDINANCE NO. 123, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 123, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Thirty Thousand Dollars (\$30,000) in the County General Fund for purposes of the Information Services Agency and reducing certain other appropriations for that Agency.

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 (k) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency to replace software, fund additional paper expenses, cover costs of increased microfiche usage and hire a contract programmer to complete a welfare software project in 1990.

SECTION 2. The sum of Thirty Thousand Dollars (\$30,000) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$20,000
3. Other Services & Charges	<u>10,000</u>
TOTAL INCREASE	\$30,000

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

<u>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$10,000
4. Capital Outlay	<u>20,000</u>
TOTAL REDUCTION	\$30,000

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

PROPOSAL NO. 645, 1990. Councillor Schneider reported that the Economic Development Committee heard Proposal No. 645, 1990 on November 14, 1990. The proposal re-establishes the power of the Hospital Authority of Marion County to issue new revenue bonds for hospital purposes until December 31, 1995. Councillor Schneider stated that Proposal No. 645, 1990 was amended in Committee by requiring the Hospital Authority to submit annual reports to the Council. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Schneider moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 645, 1990, as amended, was adopted on the following roll call vote; viz:

19 YEAS: *Borst, Boyd, Brooks, Cottingham, Coughenour, Dowden, Golc, Holmes, Howard, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, West*

5 NAYS: Clark, Curry, Durnil, Gilmer, Williams

5 NOT VOTING: Giffin, Hawkins, Irvin, Solenberg, Strader

Proposal No. 645, 1990, as amended, was retitled GENERAL RESOLUTION NO. 14, 1990 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 14, 1990

A GENERAL RESOLUTION further amending and supplementing City-County General Resolution No. 4, 1979 as amended by City-County General Resolution No. 18, 1989, concerning the Hospital Authority of Marion County's authority to issue certain revenue bonds.

WHEREAS, pursuant to action taken by the Board of Trustees of Methodist Hospital of Indiana, Inc. on April 27, 1979, the Board of Directors of Community Hospital of Indianapolis, Inc. on April 23, 1979, the Board of Directors of Fairbanks Hospital on April 26, 1979, the Board of Directors of St. Vincent Hospital and Health Care Center, Inc. on April 19, 1979, those hospitals acting as participating hospitals within the purview of the Indiana Hospital Authority Act (IC 5-1-4-1 et seq., as amended) (the "Act") filed their petitions addressed to the City-County Council of the City of Indianapolis, Indiana (the "City-County Council"), the Mayor of the City of Indianapolis, Indiana (the "Mayor") and the Board of County Commissioners of Marion County, Indiana (the "Commissioners") requesting the creation of an Authority under the provisions of said Act; and,

WHEREAS, pursuant to the aforementioned requests, the City-County Council on June 4, 1979, adopted City-County General Resolution No. 4, 1979, to create the Hospital Authority of Marion County; and,

WHEREAS, Section 2 of City-County General Resolution No. 4, 1979, stated "The Authority shall not issue bonds after 10 years from the date of its organizational meeting" which organizational meeting was held on September 12, 1979; and,

WHEREAS, the City-County Council on November 6, 1989 adopted City-County General Resolution No. 18, 1989 which extended the power of the Authority to issue refunding bonds but retained the post 10-year prohibition for all other types of bonds authorized by the Act; and,

WHEREAS, Participating Hospitals (as defined in the Act) have a continuing need to utilize the revenue bonding power of the Authority for not only refunding bonds but all types of bonds authorized by the Act; and,

WHEREAS, the Authority does not have any taxing power and the Act provides that the principal and interest on such bonds shall be payable solely out of the revenues derived from the project to which they relate; and,

WHEREAS, for the benefit of the people of Marion County, Indiana, the increase of the commerce, welfare and prosperity, and the improvement of their health and living conditions, it is essential that hospitals within Marion County, Indiana, be provided with appropriate additional means to expand, enlarge and establish health care, hospital and other related facilities; and that it is a public purpose to provide a measure of assistance and alternative methods to enable hospitals within Marion County, Indiana to refund or refinance outstanding indebtedness incurred for the facilities and to provide additional facilities and structures which are required to accomplish the purposes of the Act, all to the public benefit and good, to the extent and manner provided in the Act; now therefore:

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

SECTION 1. City-County General Resolution No. 4, 1979, as amended by City-County General resolution No. 18, 1989, is hereby amended by deleting the phrase "...10 years from the date of its organizational meeting..." and substituting in its place the phrase "...December 31, 1995..." so that Section 2, as amended, now reads in its entirety as follows:

Section 2. The Authority shall not issue bonds after December 31, 1995 except for refunding bonds issued under Indiana law.

SECTION 2. All other provisions of the City-County General Resolution No. 4, 1979, as amended by City-County General Resolution No. 18, 1989, are reaffirmed and remain unchanged.

SECTION 3. A certified copy of this Resolution amending City-County General Resolution No. 4, 1979, as amended by City-County General Resolution No. 18, 1989, shall be filed with the Board of Commissioners of

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Marion County, Indiana and the Mayor of the City of Indianapolis, Indiana. Be it further resolved that the Hospital Authority of Marion County shall submit to the Indianapolis-Marion County City-County Council annual comprehensive reports detailing the activity of the Authority. Submitted reports shall be due on or before January 31 of the year following.

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

PROPOSAL NO. 646, 1990. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 646, 1990 on November 20, 1990. The proposal transfers and appropriates \$82,000 for the Department of Metropolitan Development, Public Housing Division, to pay for health insurance and overtime costs. By an 8-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Mukes-Gaither, for adoption. Proposal No. 646, 1990 was adopted on the following roll call vote; viz:

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

0 NAYS:

5 NOT VOTING: *Dowden, Giffin, Hawkins, Irvin, Solenberg*

Proposal No. 646, 1990 was retitled FISCAL ORDINANCE NO. 124, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 124, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Eighty-two Thousand Dollars (\$82,000) in the Indianapolis Housing Authority Fund for purposes of the Department of Metropolitan Development, Public Housing 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 Metropolitan Development, Public Housing Division to pay for new insurance enrollments as well as unanticipated increases in health insurance premiums, also for extensive overtime needed to prepare vacant units in compliance with HUD occupancy standards.

SECTION 2. The sum of Eighty-two Thousand Dollars (\$82,000) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT PUBLIC HOUSING DIVISION</u>	<u>INDIANAPOLIS HOUSING AUTHORITY FUND</u>
1. Personal Services	<u>\$82,000</u>
TOTAL INCREASE	\$82,000

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

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT PUBLIC HOUSING DIVISION</u>	<u>INDIANAPOLIS HOUSING AUTHORITY FUND</u>
3. Other Services & Charges	<u>\$82,000</u>
TOTAL REDUCTION	\$82,000

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

PROPOSAL NOS. 647 and 648, 1990. Councillor Durnil asked for consent to vote on both these Parks proposals together. Consent was given. PROPOSAL NO. 647, 1990. This

proposal transfers and appropriates \$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. PROPOSAL NO. 648, 1990. This proposal transfers and appropriates \$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. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal Nos. 647 and 648, 1990 on November 15, 1990. By a 6-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Durnil moved, seconded by Councillor Strader, for adoption. Proposal Nos. 647 and 648, 1990 were adopted on the following roll call vote; viz:

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

Proposal No. 647, 1990 was retitled FISCAL ORDINANCE NO. 125, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Eagle Creek 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 Parks and Recreation, Eagle Creek Division, to pay additional personnel costs in order to continue providing services at the current level.

SECTION 2. The sum of Forty Thousand Dollars (\$40,000) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS & RECREATION</u> <u>EAGLE CREEK DIVISION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	<u>\$40,000</u>
TOTAL INCREASE	\$40,000

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

<u>DEPARTMENT OF PARKS & RECREATION</u> <u>EAGLE CREEK DIVISION</u>	<u>PARK GENERAL FUND</u>
2. Supplies	\$ 8,000
3. Other Services & Charges	<u>32,000</u>
TOTAL REDUCTION	\$40,000

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

Proposal No. 648, 1990 was retitled FISCAL ORDINANCE NO. 126, 1990 and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 126, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Eighty Thousand Dollars (\$80,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Recreation and Sports Facilities 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 Parks and Recreation, Recreation and Sports Facilities Division, to pay additional personnel costs in order to continue services at the current level.

SECTION 2. The sum of Eighty Thousand Dollars (\$80,000) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS & RECREATION</u>		
<u>RECREATION & SPORTS FACILITIES DIVISION</u>		<u>PARK GENERAL FUND</u>
1. Personal Services		<u>\$80,000</u>
TOTAL INCREASE		\$80,000

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

<u>DEPARTMENT OF PARKS & RECREATION</u>		
<u>RECREATION & SPORTS FACILITIES DIVISION</u>		<u>PARK GENERAL FUND</u>
3. Other Services & Charges		<u>\$80,000</u>
TOTAL REDUCTION		\$80,000

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

PROPOSAL NOS. 649 and 652, 1990. Councillor Dowden asked for consent to vote on both these proposals together. Consent was given. PROPOSAL NO. 649, 1990. The proposal transfers and appropriates \$82,000 for the Prosecuting Attorney to absorb personnel costs due to loss of grants and to pay for additional printing and supply charges. PROPOSAL NO. 652, 1990. This proposal transfers and appropriates \$72,171 for the Prosecuting Attorney to cover numerous vacation buyouts and the overlap of staff due to terminations. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 649 and 652, 1990 on November 14, 1990. By a 5-2 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal Nos. 649 and 652, 1990 were adopted on the following roll call vote: viz:

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

Proposal No. 649, 1990 was retitled FISCAL ORDINANCE NO. 127, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 127, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Eighty-two Thousand Dollars (\$82,000) in the

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Prosecutor's Diversion Fund for purposes of the Prosecuting Attorney 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 (w) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to cover personnel related expenses due to loss of grants and to pay for additional printing and supply costs.

SECTION 2. The sum of Eighty-two Thousand (\$82,000) 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>PROSECUTING ATTORNEY</u>	<u>PROSECUTOR'S DIVERSION FUND</u>
1. Personal Services	\$79,500
2. Supplies	2,500
3. TOTAL INCREASE	\$82,000

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

<u>PROSECUTING ATTORNEY</u>	<u>PROSECUTOR'S DIVERSION FUND</u>
3. Other Services & Charges	\$82,000
TOTAL REDUCTION	\$82,000

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

Proposal No. 652, 1990 was retitled FISCAL ORDINANCE NO. 129, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 129, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Seventy-two Thousand One Hundred Seventy-one Dollars (\$72,171) in the County General Fund for purposes of the Prosecuting Attorney 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 (w) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to cover numerous vacation buyouts and overlap of staff due to terminations.

SECTION 2. The sum of Seventy-two Thousand One Hundred Seventy-one Dollars (\$72,171) 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>PROSECUTING ATTORNEY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$72,171
TOTAL INCREASE	\$72,171

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

<u>PROSECUTING ATTORNEY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services & Charges	\$72,171
TOTAL REDUCTION	\$72,171

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

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PROPOSAL NO. 651, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 651, 1990 on November 14, 1990. The proposal transfers and appropriates \$7,015 within the Metro Drug Task Force Grant for the Prosecuting Attorney to pay overtime costs for the Sheriff's Department. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Irvin, for adoption. Proposal No. 651, 1990 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Giffin, Jones*

Proposal No. 651, 1990 was retitled FISCAL ORDINANCE NO. 128, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 128, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Seven Thousand Fifteen Dollars (\$7,015) in the State & Federal Grants Fund for purposes of the Prosecuting Attorney 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 (w) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to pay overtime from Metro Drug Task Force Grant funds.

SECTION 2. The sum of Seven Thousand Fifteen Dollars (\$7,015) 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>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services (MCSD)	<u>\$7,015</u>
TOTAL INCREASE	\$7,015

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

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services & Charges	<u>\$7,015</u>
TOTAL REDUCTION	\$7,015

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

PROPOSAL NO. 653, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 653, 1990 on November 14, 1990. The proposal transfers and appropriates \$20,000 for the Justice Agency to pay for vehicle repair and other operating expenses. By a 6-2 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. 653, 1990 was adopted on the following roll call vote; viz:

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

Councillor Holmes asked for consent to explain his vote. Consent was given. Councillor Holmes stated that this ordinance does not appear to be in accordance with City or County fleet inventory regulations, plus the vehicles are going to be repaired by the private sector instead of having Central Equipment Management Division do the repair work. President SerVaas encouraged Councillor Holmes to look into the matter further.

Proposal No. 653, 1990 was retitled FISCAL ORDINANCE NO. 130, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 130, 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 Thousand Dollars (\$20,000) in the Law Enforcement Settlement Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for that Agency.

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 (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 utilize forfeiture monies for vehicular repair and other operating expenses.

SECTION 2. The sum of Twenty Thousand Dollars (\$20,000) 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 JUSTICE AGENCY</u>	<u>LAW ENFORCEMENT SETTLEMENT FUND</u>
3. Other Services & Charges	\$20,000
TOTAL INCREASE	\$20,000

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

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>LAW ENFORCEMENT SETTLEMENT FUND</u>
4. Capital Outlay	\$20,000
TOTAL REDUCTION	\$20,000

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

President SerVaas recessed the City-County Council at 10:41 for purposes of convening the Police Special Service District Council.

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

President SerVaas convened the Police Special Service District Council at 10:41 p.m.

PROPOSAL NO. 656, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 656, 1990 on November 14, 1990. The

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proposal transfers and appropriates \$225,000 for the Department of Public Safety, Police Division, to continue making pension payments for the remainder of this fiscal year. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 10:42 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 656, 1990, was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Giffin, Hawkins, Solenberg*

Proposal No. 656, 1990 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 6, 1990 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 6, 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) transferring and appropriating an additional Two Hundred Twenty-five Thousand Dollars (\$225,000) in the Police Pension Fund for purposes of the Department of Public Safety, Police Division and reducing certain other appropriations for that Division.

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 2.0 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 continue making pension payments to pensioners for the remainder of this fiscal year.

SECTION 2. The sum of Two Hundred Twenty-five Thousand dollars (\$225,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC SAFETY	
<u>POLICE DIVISION</u>	<u>POLICE PENSION FUND</u>
1. Personal Services	\$225,000
TOTAL INCREASE	\$225,000

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

DEPARTMENT OF PUBLIC SAFETY	
<u>POLICE DIVISION</u>	<u>POLICE PENSION FUND</u>
3. Other Services & Charges	\$102,000
Unappropriated and Unencumbered Police Pension Fund	123,000
TOTAL REDUCTION	\$225,000

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 655, 1990. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 655, 1990 on November 14, 1990. The

proposal transfers and appropriates \$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. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 655, 1990 was adopted on the following roll call vote; viz:

28 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, 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: *Giffin*

Proposal No. 655, 1990 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 7, 1990 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 7, 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) transferring and appropriating an additional Two Hundred Sixty-three Thousand Dollars (\$263,000) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division and reducing certain other appropriations for that Division.

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 1.0 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 pay unanticipated increases in overtime, health insurance premiums and expenses due to injuries.

SECTION 2. The sum of Two Hundred Sixty-three Thousand Dollars (\$263,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>POLICE DIVISION</u>	<u>POLICE SERVICE DISTRICT FUND</u>
1. Personal Services	<u>\$263,000</u>
TOTAL INCREASE	\$263,000

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

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>POLICE DIVISION</u>	<u>POLICE SERVICE DISTRICT FUND</u>
2. Supplies	<u>\$104,000</u>
3. Other Services & Charges	<u>159,000</u>
TOTAL REDUCTION	\$263,000

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

There being no further business before the Police Special Service District Council, President SerVaas reconvened the City-County Council at 10:46 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas named Councillors Holmes, Coughenour and Jones to the Special Events Study Committee.

November 26, 1990

President SerVaas announced the resignation of Councillor Strader. Councillor Strader's letter of resignation is as follows:

November 26, 1990

Dr. Beurt SerVaas, President
Indianapolis City-County Council
241 City-County Building
Indianapolis, IN 46204

Dear Beurt,

After much reflection, prayer and family discussion, I have accepted a new position with an employer who will not allow me to continue on as an elected public official. It certainly was not an easy decision, but it was a necessary one for me and my family. Therefore I must tender my resignation from the Indianapolis City-County Council effective December 31, 1990.

One important duty of all district Councillors is to try to respond to the needs of our districts to the best of our abilities. During the eleven years which the voters have allowed me to serve on this Council -- since January 1, 1980 -- I am proud to have helped bring over \$20 million dollars back to my Near-Southeast 23rd District. I specifically point with pride the Bean Creek Project, many improvements at Bethel Park, the Barrington Sewer Project, the Barrington H.O.T.I.F.F. Redevelopment Area and many street improvements.

I have tried to be a responsive Council member of the neighborhoods which I have been proud to represent -- and I have tried to be a good representative of the Republican Party and philosophy.

The other important duty of each person on this Council is to recognize and act upon issues affecting the whole city, beyond just our own districts. Some of those larger-scope issues of which I was personally active include the return of the Housing Authority administration back to the city of Indianapolis, the study and implementation of Indianapolis' taking action on healthy babies, and designating Dr. Martin Luther King, Jr. Drive.

Two unfinished tasks which mean a great deal to me would be for Indianapolis to administer its own Section 8 Housing program, and the future continuation of our Healthy Babies program.

Beurt, I thank you for your personal assistance, guidance and support during my tenure on the Council. You were a help and an inspiration.

To all my fellow Councillors, there are some tough times ahead, but you are more than capable of meeting those tough challenges. My colleagues and I have not always seen eye to eye on all issues, but we have always been of one accord on the major issue of representing our districts, and to make our city the best that it can be.

I ask my colleagues to continue to question old values, and to pursue new horizons in your thinking and actions.

My heartfelt thanks to all of you. I plan to remain in Indianapolis, so we will stay in touch. Good luck, and God bless.

Sincerely,
/s/Stanley P. Strader
Stanley P. Strader

President SerVaas stated that he would like to clear the calendar by the end of the year. He asked all committee chairpersons to let him or Beverly Rippy-Dick know if there is a pending proposal that they would like considered next year. Otherwise, the old proposals will be deleted from the calendar.

There being no further business, upon motion duly made and seconded, the meeting adjourned at 10:50 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 26th 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.

Bewert SerVaas

President

ATTEST:

Ken D. Reynolds-Deck
Clerk of the Council

(SEAL)