

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

**REGULAR MEETINGS
MONDAY, MARCH 23, 1987**

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 7:05 p.m., on Monday, March 23, 1987, with Councillor SerVaas presiding.

Councillor Coughenour lead the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Giffin announced the presence of a former City-County Councillor and now State Representative, Mr. Dave Jones.

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:

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You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, March 23, 1987, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

March 10, 1987

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, March 12, 1987, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 146, 147 and 150, 1987, to be held on Monday, March 23, 1987, at 7:00 p.m., in the City-County Building.

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

March 18, 1987

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

Ladies and Gentlemen:

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

GENERAL ORDINANCE NO. 13, 1987, amending Chapter 17 of the "Code of Indianapolis and Marion County, Indiana".

GENERAL ORDINANCE NO. 14, 1987, amending Section 8 1/2-139 of the "Code of Indianapolis and Marion County, Indiana", by increasing the membership of the Cable Franchise Board.

GENERAL ORDINANCE NO. 15, 1987, amending the "Code of Indianapolis and Marion County, Indiana", by amending Section 23-54, Article V, Chapter 23.

GENERAL ORDINANCE NO. 16, 1987, that the "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-272, parking time restricted on designated days, be, and the same is hereby amended by the addition of the following, to wit:

GENERAL ORDINANCE NO. 17, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

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GENERAL ORDINANCE NO. 18, 1987, amending Chapter 29 of the "Code of Indianapolis and Marion County, Indiana", regarding parking control changes on South Capitol Avenue.

SPECIAL RESOLUTION NO. 8, 1987, honoring and commending Indianapolis Fire Department Chief Donald P. Strietelmeier. SPECIAL RESOLUTION NO. 15, 1987, honoring the Indianapolis Youth Hockey Association's Indianapolis Racers Midget Travel Hockey Team.

SPECIAL RESOLUTION NO. 16, 1987, amending City-County Special Resolution No. 98, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 17, 1987, amending City-County Special Resolution No. 81, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 18, 1987, amending City-County Special Resolution No. 80, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 19, 1987, amending City-County Special Resolution No. 15, 1983 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 20, 1987, amending City-County Special Resolution No. 71, 1985, as amended and approving and authorizing certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 21, 1987, approving the sale of certain real estate of the Department of Parks and Recreation.

SPECIAL RESOLUTION NO. 22, 1987, approving the sale of certain real estate of the Department of Parks and Recreation.

COUNCIL RESOLUTION NO. 16, 1987, requesting the Department of Transportation to conduct a parking control study of the 1100 and 1200 blocks of Nelson Street.

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

ADOPTION OF THE AGENDA

Consent was given to the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of March 23, 1987, as distributed.

ADOPTION OF JOURNALS

President SerVaas called for additions or corrections to the Journals of September 29 and October 13, 1986. There being no additions or corrections, the minutes were approved as distributed.

President SerVaas announced that Councillor Gilmer must leave early due to the funeral of a close friend; therefore, the President requested that Proposal Nos. 154 - 159, 1987, be considered as the first items on the agenda. Consent was given.

PROPOSAL NO. 154, 1987. This proposal amends the Code by authorizing intersection control changes at various locations. Councillor Gilmer explained that these control changes are necessary in order to insure vehicle safety and efficiency at the various locations. The Transportation Committee on March 18, 1987, recommended Proposal No. 154, 1987, Do Pass As Amended, by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Howard, for adoption. Proposal No. 154, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 154, 1987, As Amended, was retitled GENERAL ORDINANCE NO. 19, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 1987

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 1	Allison Av & Falcon Le	None	None
16, Pg. 2	Beeler Av & W. 34th Pl	W. 34th Pl	Yield
16, Pg. 2	Christopher Le & Lynhurst Dr	Christopher Le	Yield
16, Pg. 3	Christopher Le & Dunk Dr	Dunk Dr	Stop
16, Pg. 3	Dunk Dr & Gerrard Av	Dunk Dr	Stop
16, Pg. 4	Ellen Dr & Penway St	Penway St	Yield
16, Pg. 4	Ellen Dr & W. 34th Pl	Ellen Dr	Yield
16, Pg. 4	Ellen Dr & W. 36th St	W. 36th St	Yield
16, Pg. 7	Norfolk St & 35th St	Norfolk St & 35th St (WB)	Yield
16, Pg. 3	Dabney Ct & Dabney Dr	Dabney Cr	Yield

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17, Pg. 5	Halifax Dr & Medford Av	None	None
24, Pg. 1	Alig St & W. Henry St	None	None
24, Pg. 4	S. California St & Kentucky Av	Kentucky Av	Stop
29, Pg. 1	Burke St & Conaroe St	None	None
29, Pg. 1	Burke St & Winsted Dr	None	None
29, Pg. 1	Conaroe St & Mellen Rd	None	None
29, Pg. 1	Conaroe St & Porter St	None	None
29, Pg. 1	Mellen Rd & Winsted Dr	None	None
29, Pg. 2	Porter St & Winsted Dr	None	None
31, Pg. 1	Abbott St & S. California St	Abbott St	Stop
31, Pg. 2	S. California St (SB) & W. Merrill St	None	None
31, Pg. 2	S. California St (NB) & W. Merrill St	None	None
31, Pg. 6	W. Norwood St (EB) & S. West St	S. West St	Stop
31, Pg. 1	Alig St & W. Merrill St	None	None

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 1	Allison Av & Falcon Le	Allison Av	Yield
16, Pg. 2	Beeler Av & 34th Pl	34th Pl	Stop
16, Pg. 2	Christopher Le & Lynhurst Dr	Christopher Le	Stop
16, Pg. 3	Christopher Le & Dunk Dr	Christopher Le	Stop
16, Pg. 3	Dunk Dr & Gerrard Av	Dunk Dr & Gerrard Av (NB)	Stop
16, Pg. 4	Ellen Dr & Penway St	Penway St	Stop

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16, Pg. 4	Ellen Dr & 34th Pl	Ellen Dr	Stop
16, Pg. 4	Ellen Dr & 36th St	36th St	Stop
16, Pg. 7	Norfolk St & 35th St	Norfolk St & 35th St (WB)	Stop
16, Pg. 3	Dabney Ct & Dabney Dr	Dabney Dr	Stop
17, Pg. 5	Halifax Dr & Medford Av	Halifax Dr	Stop
17, Pg. 9	Questend Dr, Questend Dr N. & Questend Dr S.	Questend Dr & Questend Dr S.	Yield
19, Pg	Forest Grove Dr & 38th St	38th St	Stop
19, Pg. 7	Forest Grove Dr & 39th St	39th St	Stop
24, Pg. 1	Alig St & Henry St	Henry St	Stop
29, Pg. 1	Burke St & Conaroe St	Burke St	Stop
29, Pg. 1	Burke St & Winsted Dr	Burke St	Stop
29, Pg. 1	Conaroe St & Mellen Rd	Mellen Rd	Stop
29, Pg. 1	Conaroe St & Porter St	Porter St	Stop
29, Pg. 2	Mellen Rd & Winsted Dr	Mellen Rd	Stop
29, Pg. 2	Porter St & Winsted Dr	Porter St	Stop
31, Pg. 2	California St & Merrill St	Merrill St	Stop
31, Pg. 1	Alig St & Merrill St	Merrill St	Stop

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

PROPOSAL NO. 155, 1987. This proposal amends the Code by authorizing intersection control changes in Brickenwood, Meridian Woods Manor, Misty Lake and Bruson Acres Subdivisions. The Transportation Committee on March 18, 1987, recommended Proposal No. 155, 1987, Do Pass by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Howard, for adoption. Proposal No. 155, 1987, was adopted on the following roll call vote; viz:

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

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0 NAYS

Proposal No. 155, 1987, was retitled GENERAL ORDINANCE NO. 20, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 20, 1987

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 2	Dew Cir & Misty Lake Dr	Misty Lake Dr	Yield
3, Pg. 3	Electric Av & Electric Ct	Electric Av	Yield
3, Pg. 3	Electric Av & Misty Lake Dr	Misty Lake Dr	Stop
3, Pg. 3	Emily Dr (1630W) & Foggy Dr	Emily Dr	Stop
3, Pg. 3	Emily Dr (1750W) & Foggy Dr	Emily Dr	Stop
3, Pg. 3	Emily Dr (1530W) & Misty Lake Dr	Emily Dr	Stop
3, Pg. 3	Emily Dr (1830W) & Misty Lake Dr	Emily Dr	Stop
3, Pg. 3	Foggy Ct & Misty Lake Dr	Misty Lake Dr	Yield
3, Pg. 3	Hazy Cir & Misty Lake Dr	Misty Lake Dr	Yield
3, Pg. 4	Misty Cir & Misty Le	Misty Le	Yield
3, Pg. 4	Misty Ct & Misty Le	Misty Le	Yield
3, Pg. 4	Misty Lake Cir & Misty Lake Dr	Misty Lake Dr	Yield
3, Pg. 4	Misty Lake Ct & Misty Lake Dr	Misty Lake Dr	Yield
3, Pg. 4	Misty Lake Dr & Misty Le	Misty Lake Dr	Stop
6, Pg. 1	Brunson Run & Buckhaven Dr	Brunson Run	Stop
6, Pg. 1	Brunson Run & Helmsdale Dr	Brunson Run	Stop

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6, Pg. 1	Buckhaven Dr & Monte Le	Buckhaven Dr	Stop
6, Pg. 1	Burwick Dr & Falkirk Dr	Burwick Dr	Stop
6, Pg. 1	Burwick Dr & Helmsdale Dr	Helmsdale Dr	Stop
6, Pg. 2	Falkirk Ct & Falkirk Dr	Falkirk Dr	Stop
6, Pg. 3	Helmsdale Dr & Powderhorn Way	Helmsdale Dr	Stop
6, Pg. 3	Monte Le & Powderhorn Way	Powderhorn Way	Stop
6, Pg. 2	Falkirk Dr & Haddington Dr W.	Falkirk Dr	Stop
6, Pg. 1	Burwick Dr & Haddington Dr N.	Haddington Dr N.	Stop
40, Pg. 1	Brickenwood Trace & Hanna Av	Hanna Av	Stop
45, Pg. 1	Acadia Ct & Arjay Dr	Arjay Dr	Stop
45, Pg. 1	Alydar Cir & Arjay Dr	Arjay Dr	Stop
45, Pg. 1	Arjay Dr & Southport Rd	Southport Rd	Stop

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

PROPOSAL NO. 156, 1987. This proposal amends the Code by authorizing speed limit control changes on 46th Street at various locations. Councillor Gilmer stated that the speed limit on two segments of 46th Street, between Emerson Avenue and Shadeland would be changed. The observed safe and comfortable driving speed on 46th Street is 40 MPH. The Transportation Committee on March 18, 1987, recommended Proposal No. 156, 1987, Do Pass by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Howard, for adoption. Proposal No. 156, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 156, 1987, was retitled **GENERAL ORDINANCE NO. 21, 1987**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 1987

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

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

March 23, 1987

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

Forty-sixth Street, from State Road 37 to Kenmore Road, 45 MPH; and

Forty-sixth Street, from Kenmore Road to Post Road, 35 MPH.

SECTION 2. That the "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

Forty-sixth Street, from State Road 37 to Ritter Avenue, 45 MPH;

Forty-sixth Street, from Ritter Avenue to Shadeland Avenue, 40 MPH; and

Forty-sixth Street, from Shadeland Avenue to Post Road, 35 MPH.

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

PROPOSAL NO. 157, 1987. This proposal amends the Code by authorizing intersection control changes at Fisher Road and Troy Avenue. Councillor Gilmer indicated that this request was sponsored by Councillor Clark. The intersection control change would be a four-way stop to be installed at Fisher Road and Troy Avenue. The Transportation Committee on March 18, 1987, recommended Proposal No. 157, 1987, Do Pass by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Howard, for adoption. Proposal No. 157, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 157, 1987, was retitled GENERAL ORDINANCE NO. 22, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 22, 1987

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
34, Pg. 1	Fisher Rd & Troy Av	Troy Ave	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
34, Pg. 1	Fisher Rd & Troy Av	None	Stop

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

PROPOSAL NO. 158, 1987. This proposal amends the Code with regard to passenger and materials loading zones for Meridian Street, from 108 feet south of Maryland to 133 feet south of Maryland. Councillor Gilmer stated that this would establish a 25-foot loading zone, which was requested by Don't Ask, Inc. at 110 South Meridian Street. The curb space is needed to provide for loading and unloading of supplies. The Transportation Committee on March 18, 1987, recommended Proposal No. 158, 1987, Do Pass by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Howard, for adoption. Proposal No. 158, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 158, 1987, was retitled GENERAL ORDINANCE NO. 23, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 1987

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-331: Passenger and material loading zones be, and the same is hereby amended by the addition of the following, to wit:

Meridian Street, on the west side, from a point 108 feet south
of Maryland Street to a point 133 feet south of Maryland Street.

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

PROPOSAL NO. 159, 1987. This proposal amends the Code by authorizing intersection control changes at Washington Trails and Eagles Nest Subdivision. The Transportation Committee on March 18, 1987, recommended Proposal No. 159, 1987, Do Pass by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Howard, for adoption. Proposal No. 159, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 159, 1987, was retitled GENERAL ORDINANCE NO. 24, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 1987

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 3	Nightingale Ct & Tanager Le	Tanager Le	Yield

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6, Pg. 4	Warbler Ct & Warbler Way	Warbler Way	Yield
28, Pg. 1	German Church Rd & Mount Vernon Trail S.	German Church Rd	Stop
28, Pg. 3	Mount Vernon Trail S. & President Trail E.	President Trail E.	Stop
28, Pg. 3	President Ct & President Trail W.	President Trail W.	Yield

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

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

PROPOSAL NO. 128, 1987, memorializes Dorothy Mae Whittaker Berry. Councillor Boyd stated that the recipient of this resolution was unable to appear at the Council meeting and moved for its adoption, seconded by Councillor Journey. Proposal No. 128, 1987, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 12, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1987

A SPECIAL RESOLUTION memorializing Dorothy Mae Whittaker Berry.

WHEREAS, Dorothy Mae Whittaker Berry was a supervisor for nineteen (19) years for the Community Action Against Poverty and center director for the Program On Aging from 1971 to 1974 and supervisor of the Foster Grandparents Program in 1974 and 1975; and

WHEREAS, Mrs. Berry received the Emma Johnson Award for outstanding community service at the 1986 Black Expo and received a citation from President and Mrs. Reagan for her work with the youth and the elderly in the Indianapolis area; and

WHEREAS, Mrs. Berry was an organizer of the foster grandparents Golden Voices and foster grandparents bowling league, a member of the National Institute of Senior Centers, a representative to the Coalition for Adequate Transportation, a member of Progressive Community Civic Club: the Ladies Auxiliary 9843 of Veterans of Foreign Wars, and an outstanding worker in the Probability Outreach program; and

WHEREAS, Dorothy Mae Whittaker Berry passed away Wednesday, February 11, 1987; 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 hereby honors and memorializes Dorothy Mae Whittaker Berry for her outstanding community spirit and dedication.

SECTION 2. The Council further recognizes Mrs. Berry for her great personal contributions to the citizens of Indianapolis through her many civic interests.

SECTION 3. The Council offers its deepest condolences to the family and friends of Dorothy Mae Whittaker Berry.

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. 129, 1987 honors Reverend Arthur Johnson. Councillor Boyd stated that the framed document will be presented to Reverend Johnson at the Friendship Baptist Church, of which he has been a member for thirty years. Councillor Boyd moved for its adoption, seconded by Councillor Journey. Proposal No. 129, 1987, was

adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 13, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1987

A SPECIAL RESOLUTION honoring Rev. Arthur Johnson.

WHEREAS, Rev. Arthur Johnson is celebrating his 30th Anniversary as Pastor of Friendship Baptist Church: which has more than 1,200 members; and

WHEREAS, Rev. Arthur Johnson is currently the President of the General Missionary Baptist State Congress of Christian Education, and current President of the Indianapolis Baptist Ministers Alliance; and

WHEREAS, Rev. Arthur Johnson is the former Executive Director of the Community Action Against Poverty and former Director of the Opportunities Industrialization Centers (O.I.C.) which placed more than 2,000 people in jobs; now, therefore:

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

SECTION 1. The Indianapolis, Marion County, City-County Council congratulates Rev. Arthur Johnson on celebrating his 30th Anniversary at Friendship Baptist Church.

SECTION 2. The Indianapolis, Marion County, City-County Council further commends Rev. Arthur Johnson for his community involvement.

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. 161, 1987 memorializes Riad Shaheen. Councillor West, co-sponsor of Proposal No. 161, along with Councillors Borst, Rhodes, SerVaas and Clark read the resolution and presented a framed document to the family of Riad Shaheen. President SerVaas stressed a sense of gratitude for the leadership that Mr. Shaheen had given. Councillor Howard stated that Riad Shaheen had made significant contributions to the neighborhood organizations and was a fine man for the City of Indianapolis. Councillor West moved for its adoption, seconded by Councillor Borst. Proposal No. 161, 1987, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 23, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1987

A SPECIAL RESOLUTION memorializing Riad Shaheen.

WHEREAS, Riad Shaheen emigrated to the United States from Lebanon in 1949 and acquired Long Electric Company in 1972; and

WHEREAS, Mr. Shaheen was a member of the Board of Directors of the Indianapolis Chamber of Commerce, the Indianapolis Economic Development Corporation, the International Center of Indianapolis and was Chairman of the Board of Directors of the Indianapolis Center for Advanced Research; and

WHEREAS, Riad Shaheen was a member of the Junior Achievement Advisory Board; and a leader in the National Electrical Contractors Association, the Indiana Subcontractors Association and the Electric League of Indianapolis; and

WHEREAS, Riad Shaheen was a business and civic leader in Indianapolis who was honored in 1985 as the Indianapolis International Citizen of the year; and

WHEREAS, Riad Shaheen passed away unexpectedly on Thursday, February 19, 1987; now, therefore:

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

March 23, 1987

SECTION 1. The Indianapolis City-County Council hereby honors and memorializes Riad Shaheen for his outstanding achievements and for his unselfish service to his family, his city and his community.

SECTION 2. The Council further extends its most sincere condolences to the family of Riad Shaheen.

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. 182, 1987 congratulates Mary G. Winston on being selected as the Small Business Person of the Year for the state of Indiana. Councillor Howard, co-sponsor along with Councillor West read the resolution and presented a framed copy to Ms. Winston. Councillor Howard stated that Mary Winston was the first lady in the state of Indiana to receive such an award and moved for its adoption, seconded by Councillor West. Proposal No. 182, 1987, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 24, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1987

A SPECIAL RESOLUTION congratulating Mary G. Winston on being selected as the Small Business Person of the Year for the state of Indiana.

WHEREAS, Mary G. Winston is owner and President of the Winston Janitorial Service, Inc., 111 West 38th Street, Indianapolis, Indiana; and

WHEREAS, Winston Janitorial has more than 269 employees and gross receipts of over \$3 million dollars annually; and

WHEREAS, Winston Janitorial Service is Indiana's largest female owned janitorial service; and

WHEREAS, The U.S. Small Business Administration has selected Mary G. Winston as the Small Business Person of the Year for the state of Indiana for the year of 1987; now, therefore:

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

SECTION 1. The Indianapolis Marion County City-County Council congratulates Mary G. Winston for being selected as the Small Business Person of the Year for the state of Indiana.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 185, 1987 accepts bequest from the Estate of Robert W. Kellum. President SerVaas read the resolution and moved for its adoption, seconded by Councillor West. Proposal No. 185, 1987, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 25, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1987

A SPECIAL RESOLUTION accepting a bequest from the Estate of Robert W. Kellum.

WHEREAS, the under the Will of Robert W. Kellum, deceased, a specific bequest was made to the City of Indianapolis, as follows:

"To the City of Indianapolis, Indiana, the sum of Five Thousand Dollars and No Cents (\$5,000.00) to be administered by the Indianapolis City-County Council or other governing body thereof for the operation and maintenance of tennis facilities operated and maintained by the Parks Department of said City of Indianapolis in keeping with the public services purposes of said City of Indianapolis."

WHEREAS, The City Controller advises that the purposes of said bequest can be assured by holding the same in the "Gifts and Grants Fund", #820; and

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WHEREAS, the Council desires to accept said bequest and assure the same will be used as specified in said Will; now, therefore:

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

SECTION 1. The City-County Council hereby accepts the bequest of Robert W. Kellum, and agrees to use the same for the purposes specified in said bequest.

SECTION 2. The bequest shall be deposited by the Controller as a part of the "Gifts and Grants Fund" #820; and the Controller is directed to use the same strictly in accordance with the purposes stated in said grant. Prior to any expenditure the Controller shall notify the Council of its proposed use.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 171, 1987. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$181,892 for the Department of Administration, Finance Division, to fund the Information Services Agency for costs of performing the Barrett Law function"; and the President referred it to the Administration Committee.

PROPOSAL NO. 172, 1987. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$69,117 for the Department of Administration, Personnel Division, to provide for the Information Services Agency costs"; and the President referred it to the Administration Committee.

PROPOSAL NO. 173, 1987. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Carolyn Coukos to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 174, 1987. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the lease of certain real estate of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 175, 1987. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,500 for the Marion County Superior Court, Probate Division, to fund contractual, legal, psychiatric and psychologist's services"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 176, 1987. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE appropriating \$282,798 for the Department of Public Safety, Police Division, to provide funds for the Information Services Agency costs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 177, 1987. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE " appropriating \$55,150 for the Department of Public Safety, Police Division, to fund salaries for three victim assistance employees; and the President referred it to the Public Safety and Criminal Justice Committee.

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PROPOSAL NO. 178, 1987. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection control changes in the vicinity of Ashurst Street, Harbridge Road, Cricklewood Road, 65th Place, McLeay Drive (2400E) and 58th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 179, 1987. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code with regard to passenger and materials loading zones for Ninth Street, from 34 feet west of Pennsylvania to 84 feet west of Pennsylvania Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 180, 1987. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection control changes at County Line Road, South and Railroad Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 181, 1987. Introduced by Councillors Miller and Hawkins. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the code with regard to parking control changes on Indiana Avenue from Blake Street to Tenth Street, and Indiana Avenue from North Street to Blake Street"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 183, 1987. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Mark Burk to the Board of Trustees of the Beech Grove Public Library"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 184, 1987. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing William R. Brown to the Health and Hospital Corporation"; and the President referred it to the Municipal Corporations Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 186 - 190, 1987. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 19, 1987". The Council did not schedule Proposal Nos. 186 - 190, 1987, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 186 - 190, 1987, were retitled REZONING ORDINANCE NOS. 61 - 65, 1987, take effect thirty days after the respective certification, and read as follows:

REZONING ORDINANCE NO. 61, 1987. 86-Z-286 AMENDED LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
11301 FOX ROAD, INDIANAPOLIS.

Compucom Development Corporation, by Thomas Michael Quinn, requests the rezoning of 24.03 acres, being in the D-P district, to the D-4 classification, to provide for attached multi-family or detached single-family cluster dwellings.

REZONING ORDINANCE NO. 62, 1987. 87-Z-29 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
1101 NORTH RACEWAY ROAD, INDIANAPOLIS.

Donald & Dorothy Lambert, by William F. LeMond, request the rezoning of 40.73 acres, being in the A-2 district, to the D-3 classification, to provide for residential use by platting.

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REZONING ORDINANCE NO. 63, 1987. 87-Z-32 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22

1022-1036 NORTH COLLEGE AVENUE, INDIANAPOLIS.

J. Scott Keller, by Marion Redstone, requests the rezoning of 0.60 acre, being the C-4 (RC) districts, to the D-10 (RC) classification, to provide for the renovation of existing buildings for 31 dwelling units.

REZONING ORDINANCE NO. 64, 1987. 87-Z-37 WAYNE TOWNSHIP

COUNCILMANIC DISTRICT NO. 21

2605 KENTUCKY AVENUE (REAR), INDIANAPOLIS.

Martin Marietta Corporation, by John M. Kyle, III, requests the rezoning of 52 acres being in the SU-23 district, to the I-4-S classification, to provide for general industrial development.

REZONING ORDINANCE NO. 65, 1987. 87-Z-38 CENTER TOWNSHIP

COUNCILMANIC DISTRICT NO. 21

234 SOUTH MERIDIAN STREET, INDIANAPOLIS.

Norle Investments, Incorporated, by Harry F. McNaught, Jr., requests the rezoning of 0.12 acre, being in the C-4 (RC) district, to the CBD-2 (RC) classification to provide for commercial use.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 124, 1987. This proposal appropriates \$550,000 for the Marion County Auditor for payment of rent for the County Welfare Department to be reimbursed by the State of Indiana. Councillor Stewart stated that the new welfare legislation that was passed by the Indiana General Assembly during the 1986 session requires that any rental agreements entered into before January 1, 1987, be paid by the County General Fund. The State of Indiana will reimburse the County for the rental payments.

Councillor West asked how rapidly this money will be reimbursed from the State. Councillor Stewart replied that this reimbursement will begin within thirty days and then the payments will be submitted monthly.

The Community Affairs Committee on March 19, 1987, recommended Proposal No. 124, 1987, Do Pass by a 5-0 vote. The President called for public testimony at 7:35 p.m. There being no one present to testify, Councillor Stewart moved, seconded by Councillor Journey, for adoption. Proposal No. 124, 1987, was adopted on the following roll call vote; viz:

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

0 NAYS

1 NOT VOTING: Gilmer

Proposal No. 124, 1987, was retitled FISCAL ORDINANCE NO. 43, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Five Hundred Fifty Thousand Dollars (\$550,000) in the County General Fund for purposes of the Marion County Auditor 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 (a)(2) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Marion County Auditor for payment of rent for the County Welfare Department to be reimbursed by the State of Indiana.

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SECTION 2. The sum of Five Hundred Fifty Thousand Dollars (\$550,000) 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>MARION COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services & Charges	\$550,000
TOTAL INCREASE	\$550,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	\$550,000
TOTAL REDUCTION	\$550,000

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

PROPOSAL NO. 146, 1987. This proposal appropriates \$497,265 for the Information Services Agency to provide services for city departments. The County and Townships Committee on March 17, 1987 recommended Proposal No. 146, 1987, Do Pass As Amended, by a 2-0-3 vote.

Councillor Boyd inquired as to the legality of the vote since the majority of the committee vote was in abstention.

President SerVaas stated that he had inquired of the General Counsel, Robert Elrod, if this is a legal vote for passage and he indicated that it was.

Councillor Williams stressed support for Proposal No. 146 and indicated that she would like to see this process examined further.

Councillor Curry stated that Information Services Agency is progressing with the right management control over this agency. The process is becoming more thought-out, like that of other agencies.

There being no further comments, the President called for public testimony at 7:44 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Rhodes, for adoption. Proposal No. 146, 1987, As Amended, was adopted on the following roll call vote; viz:

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

Proposal No. 146, 1987, As Amended, was retitled FISCAL ORDINANCE NO. 44, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Four Hundred Ninety-seven Thousand Two Hundred Sixty-five Dollars (\$497,265) in the County General Fund for purposes of the Information Services Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

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

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SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (c)(1) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Information Services Agency to provide services for the city departments to be funded by additional payments from the City.

SECTION 2. The sum of Four Hundred ninety-seven thousand two hundred sixty-five Dollars (\$497,265) 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>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$142,000
2. Supplies	40,000
3. Other Services & Charges	190,265
4. Capital Outlay	<u>125,000</u>
TOTAL INCREASE	\$497,265

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>\$497,265</u>
TOTAL REDUCTION	\$497,265

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

PROPOSAL NO. 147, 1987. This proposal appropriates \$1,000,000 for the County Auditor for initial expenses related to a new Juvenile Detention Center.

Councillor Cottingham stated that the initial costs for the new Juvenile Detention Center will include fees for architects, project managers, consultants, attorneys and financial advisors. These funds will come from the County Cumulative Capital Development Fund. The initial costs have been paid from appropriations in the General Fund. The County and Townships Committee on March 17, 1987, recommended Proposal No. 147, 1987, Do Pass by a 3-2 vote. The President called for public testimony at 7:53 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Dowden, for adoption.

Councillor Clark inquired if any federal funding was to be used for the Juvenile Center. Mr. Curt Coonrod, County Auditor, replied that there are no plans for federal money at this time.

Mr. Coonrod indicated that he would like to use other funding sources; and does not want to pay any more money out of the County General Fund.

Councillor Hawkins moved the question to end discussions.

Proposal No. 147, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 147, 1987, was retitled FISCAL ORDINANCE NO. 45, 1987, and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 45, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional One Million Dollars (\$1,000,000) in the County Cumulative Capital Development Fund for purposes of the unappropriated and unencumbered balance in the County Cumulative Capital Development 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 (a)(2) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the County Auditor for the initial expenses related to the construction of a new juvenile detention center.

SECTION 2. The sum of One Million Dollars (\$1,000,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
3. Other Services	<u>\$1,000,000</u>
TOTAL INCREASE	\$1,000,000

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

Unappropriated and Unencumbered County Cumulative Capital Development Fund	<u>COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
TOTAL REDUCTION	<u>1,000,000</u> \$1,000,000

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

PROPOSAL NO. 150, 1987. This proposal appropriates \$100,000 for the Marion County Prosecutor for a new federal grant for dealing with status offenders. Councillor Dowden stated that the appropriation will supplement the budget of a previously approved project involving alternatives to the Detention Program for juveniles at the Family Support Center and Youth Center. The Public Safety and Criminal Justice Committee on March 11, 1987, recommended Proposal No. 150, 1987, Do Pass by a 7-0 vote. The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 150,

1987, was adopted on the following roll call vote; viz:

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

Proposal No. 150, 1987, was retitled FISCAL ORDINANCE NO. 46, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(22) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the State and Federal Grant Fund for a new federal program for reduction of status offenders in detention facilities.

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

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANT FUND</u>
3. Other Services & Charges	\$80,700
4. Capital Outlay	<u>19,300</u>
TOTAL INCREASE	\$100,000

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

	<u>STATE AND FEDERAL GRANT FUND</u>
Unappropriated and Unencumbered State and Federal Grant Fund	\$100,000
TOTAL REDUCTION	\$100,000

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 51, 1987. This proposal amends the Code to restrict tobacco smoking in certain areas of local government buildings. Councillor McGrath stated that the Rules and Policy Committee heard a great deal of testimony from various concerned parties. He indicated that Proposal 51 delegates flexibility to the Building Authority in establishing "no smoking" areas. Proposal 51 considers the rights of both smokers and non-smokers. The Rules and Policy Committee on March 17, 1987, recommended Proposal No. 51, 1987, Do Pass As Amended, by a 5-0 vote. Councillor McGrath moved, seconded by Councillor Coughenour, for adoption.

Councillor Giffin stated that Councillor Strader had proposed an ordinance in 1983, but no action was taken.

Councillor Giffin said that Proposal 51 is the first step in good public policy for Marion County concerning the smoking issue.

Councillor Miller stressed that in public assembly areas, smoke travels throughout the room and does not stay in the same section: therefore, no smoking should be maintained in public areas.

Councillor Miller moved to amend Section 20 - 205, Smoking limited in public assembly areas, by deleting the words "except in portions thereof designated as smoking areas. The responsible official may designate a portion of a public assembly area as a smoking permitted area". Councillor Miller also moved to amend the section heading by deleting the word limited and inserting the word prohibited.

Councillor Cottingham spoke on behalf of Councillor Gilmer and stated that the jury pool meets in the Public Assembly Room, Monday through Friday, and he would like to have a designated area for smoking to be established.

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Councillor Strader stated that Proposal 51 is a needed policy, but he is also concerned with the enforcement.

Councillor Nickell stressed opposition to placing smoking restrictions in designated areas because she does not feel that it is the Council's position to regulate smoking.

Councillor Stewart questioned if any surveys were completed for the employees of the City-County Building to determine how many people smoke. She said that employee time will be lost because employees will have to go to designated places to smoke. Councillor Stewart was also concerned about the enforcement of Proposal 51.

Councillor Giffin stated that to his knowledge, no survey was completed. Councillor Williams stated that to restrict smoking from persons who are serving jury duty would not be fair, since they may have to wait for long periods of time.

Councillor Dowden commented that the amendment offered by Councillor Miller would violate the spirit of Proposal 51. Proposal 51 establishes a moderate position for an environment of smokers, as well as non-smokers. Councillor Coughenour pointed out that smokers know the medical hazards involved and she feels that smoking should be allowed in designated places, so not to effect non-smokers.

Councillors Curry, Giffin and Williams spoke in opposition to the proposed amendment. Councillor Curry moved, seconded by Councillor Shaw to table the amendment. This motion carried on the following roll call vote, viz:

17 YEAS: Cottingham, Curry, Dowden, Giffin, Hawkins, Howard, Journey, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams
11 NAYS: Borst, Boyd, Bradley, Clark, Coughenour, Crowe, Durnil, Holmes, McGrath, Miller, West
1 NOT VOTING: Gilmer

Councillor Williams moved the question to end debate, and the President called for the vote. Proposal No. 51, 1987, As Amended, was adopted on the following roll call vote; viz:

18 YEAS: Borst, Boyd, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Holmes, Howard, McGrath, Miller, SerVaas, Strader, West, Williams
9 NAYS: Hawkins, Journey, Nickell, Page, Rader, Rhodes, Schneider, Shaw, Stewart
2 NOT VOTING: Bradley, Gilmer

Proposal No. 51, 1987, As Amended, was retitled GENERAL ORDINANCE NO. 25, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 1987

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", to restrict tobacco smoking in certain areas of local government buildings.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", be, and is hereby amended by adding a new "Article VIII - Smoking Restrictions" in Chapter 20, to read as follows:

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ARTICLE VIII

Smoking Restrictions

Sec. 20 - 201. Policy to Restrict Tobacco Smoking.

To reduce the annoyance and health risks to non-smokers from exposure to tobacco smoke, smoking (as herein defined) is restricted in certain local government buildings as provided in this article.

Sec. 20 - 202. Definitions.

As used in this article, the following terms shall mean:

(a) "Local Government Building" shall mean any enclosed structure, or room therein, which is owned, leased or controlled by the City of Indianapolis or Marion County or any of their departments or agencies, including courts, and which is used or occupied for governmental purposes.

(b) "Public Service Area" means any room, corridor or similar confined area, wherein the public is required or directed to transact business with local governmental officials.

(c) "Public Assembly Area" means any room regularly used for public meetings conducted by officials of Indianapolis or Marion County.

(d) "Responsible Official" means (i) the director of a city department with respect to offices under his or her control; (ii) the elected official as to his or her office; (iii) the judge as to his or her courtroom and court office; (iv) the mayor or the mayor's designee as to any other city or county agency, and (v) the city-county council as to shared public assembly areas and as to council staff offices.

(e) "Work Area" means those portions of public building used primarily as private offices or work space for employees of the city or county, and not normally accessible by the public except by specific invitation to confer with a public employee.

(f) "Smoking" means the use of lighted tobacco in the form of a cigarette, cigar or similar item or in a pipe or similar smoking equipment, by inhaling and exhaling the smoke of the tobacco, and includes the holding or carrying of such items when burning.

Sec. 20 - 203. Smoking prohibited in public service areas.

Smoking is hereby prohibited in any local government building in all public service areas.

Sec. 20 - 204. Smoking limited in public assembly areas.

Smoking is prohibited in any public assembly area of any local government building, except in portions thereof designated as smoking areas. The responsible official may designate a portion of a public assembly area as a smoking permitted area.

Sec. 20 - 205. Smoking restrictions in work areas authorized.

The responsible official shall designate portions of work areas under his or her control as non-smoking areas. If designated and posted as "non-smoking" or "smoking prohibited", it shall be unlawful to smoke in such areas. The responsible official shall give due consideration not only to his or her personal preferences but attempt to reasonably accommodate both non-smoking and smoking employees.

Sec. 20 - 206. Posting of smoking regulations.

The responsible official having control of local government building or portions thereof regulated under this ordinance shall make every reasonable effort to designate smoking and non-smoking areas by:

(a) Posting signs prohibiting or permitting smoking as appropriate under this ordinance. Signs shall be conspicuously posted at each entrance and in prominent places throughout the local government building. The boundary between a smoking and non-smoking area shall be clearly designated so that persons may differentiate between the two areas.

(b) Every reasonable effort shall be made to inform the public when a designated smoking area is available for their preference.

(c) Every reasonable effort shall be made to inform the public that smoking is prohibited in designated non-smoking areas.

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(d) Every reasonable effort shall be made to inform the public that there are organizations available which provide self-help programs for individuals who desire to quit smoking.

(e) Any other means which may be appropriate.

Sec. 20 - 207. Penalties for violation.

Any person smoking in an area where prohibited by the provisions of this article and posted as a no-smoking area and who continues smoking after being asked to stop smoking, shall be subject to penalties for violations of city ordinances. The penalty for the first and second violation shall be a fine of twenty-five dollars (\$25.00); provided, however, the court may suspend such penalty if the violator attends a free, no-smoking clinic, if available, or donates three hours of community service work in the cancer ward of a local hospital. Subsequent violations shall be subject to the penalties in Section 1 - 8 of this Code.

SECTION 2. This ordinance shall be in full force and effect from and after April 1, 1987, provided that after the passage the responsible official shall take such actions as appropriate to post no-smoking areas prior to the effective date of this ordinance.

PROPOSAL NO. 149, 1987. This proposal transfers \$22,995 for the Forensic Service Agency to buy anklets and wristlets for misdemeanants. Councillor Dowden stated that this proposal allows for a transfer of unused grant money for drug testing for the purchase of nine additional electronic monitors. The Public Safety Committee on March 11, 1987, recommended Proposal No. 149, 1987, Do Pass As Amended by a 7-0 vote. Councillor Dowden moved, seconded by Councillor Giffin, for adoption. Proposal No. 149, 1987, As Amended, was adopted on the following roll call vote; viz:

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

0 NAYS

1 NOT VOTING: *Gilmer*

Proposal No. 149, 1987, As Amended, was retitled FISCAL ORDINANCE NO. 47, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating Twenty-two Thousand Nine Hundred Ninety-five Dollars (\$22,995) in the County Corrections Fund for purposes of the Forensic Services 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 (c)(7) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Forensic Services for the purchase of anklets or wristlets for misdemeanants.

SECTION 2. The sum of Twenty-two Thousand Nine Hundred Ninety-five Dollars (\$22,995) 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>FORENSIC SERVICE AGENCY</u>	<u>COUNTY CORRECTIONS FUND</u>
4. Capital Outlay	\$22,995
TOTAL INCREASE	\$22,995

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

<u>FORENSIC SERVICE AGENCY</u>	<u>COUNTY CORRECTIONS FUND</u>
2. Supplies	\$22,995

TOTAL REDUCTION

\$22,995

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

PROPOSAL NO. 151, 1987. This proposal transfers \$6,350 for the Marion County Prosecutor to transfer funds within the Victim Assistance grant. Councillor Dowden stated that the transfer would extend the grant period through June 5, 1987. The Public Safety and Criminal Justice Committee on March 11, 1987, recommended Proposal No. 151, 1987, Do Pass by a 7-0 vote. Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 151, 1987, was adopted on the following roll call vote; viz:

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

0 NAYS

1 NOT VOTING: Gilmer

Proposal No. 151, 1987, was retitled FISCAL ORDINANCE NO. 48, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating Six Thousand Three Hundred Fifty Dollars (\$6,350) in the State and Federal Grant 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 (b)(22) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Prosecuting Attorney to transfer appropriations for extension of the Victim Assistance Grant.

SECTION 2. The sum of Six Thousand Three Hundred Fifty Dollars (\$6,350) 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 GRANT FUND</u>
1. Personal Services	\$6,350
TOTAL INCREASE	\$6,350

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

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANT FUND</u>
2. Supplies	\$1,850
3. Other Services & Charges	2,500
4. Capital Outlay	2,000
TOTAL REDUCTION	\$6,350

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

ANNOUNCEMENTS AND ADJOURNMENTS

There being no further business, upon motion duly made and seconded the meeting adjourned at 9:03 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

March 23, 1987

and Solid Waste Collection Special Service District Councils on the 23rd day of March, 1987.

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



President

ATTEST:

Clerk of the Council

(SEAL)