

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

**REGULAR MEETINGS  
MONDAY, OCTOBER 26, 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 7:00 p.m., on Monday, October 26, 1987, with Councillor SerVaas presiding.

Councillor Bradley 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, Durnil, 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**

**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 October 26, 1987, as distributed.

**OFFICIAL COMMUNICATIONS**

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

*Journal of City-County Council*

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, October 26, 1987. At 5:30 p.m., the Council will convene for purposes of a meeting of the Committee of the Whole Council to receive information from City and County executives and administrators. At the conclusion of such business, the Council will adjourn until 7:00 p.m., at which time it will reconvene for purpose of taking final action upon the regular business of the Council and to conduct any and all other business that may properly come before regular meetings of the Councils.

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

October 13, 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, October 15, 1987, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 560, 561 and 562, 1987, to be held on Monday, October 26, 1987, at 7:00 p.m., in the City-County Building.

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

October 19, 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:

FISCAL ORDINANCE NO. 137, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Eighteen Thousand Forty-nine Dollars (\$18,049) in the County General Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 138, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Sixty-nine Thousand Fifty-five Dollars (\$69,055) in the

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State and Federal Grant Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 139, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Seven Thousand Dollars (\$7,000) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 140, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Twenty-seven Thousand Dollars (\$27,000) in the County General Fund for purposes of the Superior Court, Criminal Division, Room One, and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 141, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Two Hundred Forty Thousand Dollars (\$240,000) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division, and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 142, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating an additional Sixteen Thousand One Hundred Ninety-seven Dollars (\$16,197) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and reducing certain other appropriations for that Division.

GENERAL ORDINANCE NO. 97, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL ORDINANCE NO. 15, 1987, authorizing the amendment of certain financing documents concerning the previously issued Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 16, 1987, authorizing the amendment of certain financing documents concerning the previously issued Economic Development First Mortgage Revenue Bonds, Series 1987 (St. Paul Home for the Aged Trust Project) and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 57, 1987, honoring the Indianapolis Indians 1987 American Association Baseball Champions.

SPECIAL RESOLUTION NO. 58, 1987, honoring Sigma Gamma Rho Sorority.

SPECIAL RESOLUTION NO. 59, 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. 60, 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. 61, 1987, amending City-County Special Resolution No. 71, 1985, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

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SPECIAL RESOLUTION NO. 62, 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.

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

**ADOPTION OF JOURNALS**

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

PROPOSAL NO. 596, 1987. This proposal honors City Controller Fred L. Armstrong for being named 1987 All-Pro Management Team. Councillor West read the resolution and presented a framed copy to Mr. Armstrong. Mr. Armstrong spoke briefly in appreciation for the Council's recognition of this award. Councillor West moved, seconded by Councillor Miller, for adoption. Proposal No. 596, 1987, was adopted by a unanimous voice vote.

Proposal No. 596, 1987, was retitled SPECIAL RESOLUTION NO. 63, 1987, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 63, 1987**

A SPECIAL RESOLUTION honoring City Controller Fred L. Armstrong for being named to the 1987 All-Pro City Management Team.

WHEREAS, Fred L. Armstrong began his service to the City of Indianapolis and Marion County in 1963 as Second Deputy Auditor of Marion County, in 1969 as Chief Deputy Auditor, and in 1970 as Controller of the City of Indianapolis; and

WHEREAS, Mr. Armstrong was appointed Director of the Department of administration in 1973 and re-appointed City Controller in 1976 where he has served for the past eleven (11) years; and

WHEREAS, Fred Armstrong also serves as the Treasurer of METRO, Vice-Chairman of the Indiana Bond Bank, Executive Director and Treasurer of the Indianapolis Bond Bank, and as a member of the Board of Directors of the Municipal Finance Officers Association as well as many other organizational responsibilities; and

WHEREAS, Mr. Armstrong as the Chief Architect of Indianapolis' AAA bond rating, has been named to the 1987 All-Pro City Management Team by the "City & State" Magazine; 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 congratulates Fred L. Armstrong for being recognized as the best City Controller in the United States as selected on the 1987 All-Pro City Management Team.

SECTION 2. The Council further recognizes Mr. Armstrong for his outstanding twenty-five (25) years of service to the citizens of Indianapolis and Marion County.

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.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 585, 1987. Introduced by Councillor Stewart. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,424

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for the Cooperative Extension Service to transfer the balance of the travel account to gasoline useage"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 586, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,116 for the Washington Township Assessor to transfer funds to purchase an additional terminal for reassessment work"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 587, 1987. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code in regard to prohibited parking on Porto Alegre Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 588, 1987. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code in regard to restricting trucks on a portion of Sheridan Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 589, 1987. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code in regard to parking restrictions on a portion of Sorrell Drive"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 590, 1987. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code in regard to parking restrictions on Senate Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 591, 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 at Broadway Street and 66th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 592, 1987. Introduced by Councillor Bradley. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection control changes at Livingston Avenue and North Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 593, 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 at 86th Street and Manderly Drive"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 594, 1987. Introduced by Councillor Rader. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection control changes at Colorado Avenue and 14th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 595, 1987. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the

Code in regard to prohibited parking on a portion of Haverford Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 597, 1987. Introduced by Councillors Howard and Shaw. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE creating a Council oversight committee on infant mortality"; and the President referred it to the Rules and Policy Committee.

[Clerk's Note: Councillor Boyd questioned of Councillor Dowden the status of Proposal No. 566, 1987. Councillor Dowden replied that it was the Committee's intent to hear this proposal on October 28, but was advised from legal counsel, that some technical amendments were needed before it could be heard at Committee level. Councillor Boyd expressed concern with being one of the co-sponsors of Proposal No. 566 and not being informed about any changes that were needed.]

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 598 - 608, 1987. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 22, 1987". The Council did not schedule Proposal Nos. 598 - 608, 1987, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 598 - 608, 1987, were retitled REZONING ORDINANCE NOS. 183 - 193, 1987, take effect thirty days after the respective certification, and read as follows:

REZONING ORDINANCE NO. 183, 1987. 87-Z-80 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 18

6201 WEST WASHINGTON STREET, INDIANAPOLIS.

Bodner Properties, by Stephen D. Mears, request the rezoning of 4.72 acres, being in the C-2, C-3, C-7 and D-4 districts, to the C-S classification, to provide for a retail center and a motel or hotel.

REZONING ORDINANCE NO. 184, 1987. 87-Z-132 AMENDED PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1

5702 MOLLER ROAD, INDIANAPOLIS.

Founders Development Corporation, by James R. Nickels, requests the rezoning of 16.11 acres, being in the A-2 district, to the D-4 classification, to provide for single-family development.

REZONING ORDINANCE NO. 185, 1987. 87-Z-156 AMENDED PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 8

5585 GEORGETOWN ROAD, INDIANAPOLIS.

Amoco Oil Company, by Stephen D. Mears, requests the rezoning of 1.34 acres, being in the D-P district, to the C-3 classification, to provide for commercial development.

REZONING ORDINANCE NO. 186, 1987. 87-Z-162 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13

6801 SOUTH EMERSON AVENUE, INDIANAPOLIS.

Indianapolis Grace Church, by Philip A. Nicely, requests the rezoning of 9.83 acres, being in the A-2 district, to the C-1 classification, to provide for commercial use.

REZONING ORDINANCE NO. 187, 1987. 87-Z-163 FRANKLIN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 24

6851 SOUTH EMERSON AVENUE, INDIANAPOLIS.

Indianapolis Grace Church, by Philip A. Nicely, requests the rezoning of 2.82 acres, being in the A-2 district, to the SU-1 classification, to provide for church use.

REZONING ORDINANCE NO. 188, 1987. 87-Z-172 AMENDED PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1

5202 WEST 56TH STREET, INDIANAPOLIS.

Timber Park Development Corporation, by John W. Van Buskirk, requests the rezoning of 21.57 acres, being in the A-2, SU-3, SU-43, FW and FP districts, to the D-6II classification, to provide for single-family development.

REZONING ORDINANCE NO. 189, 1987. 87-Z-173 AMENDED PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 8

5101 WEST 56TH STREET, INDIANAPOLIS.

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Timber Park Development Corporation, by John W. Van Buskirk, requests the rezoning of 20 acres, being in the A-2 district, to the D-3 classification, to provide for single-family development.

REZONING ORDINANCE NO. 190, 1987. 87-Z-186 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
7401 MADISON AVENUE, INDIANAPOLIS.

Health Quest Development Corporation, by Zeff A. Weiss, requests the rezoning of 7.23 acres, being in the C-2 and D-7 districts, to the C-1 classification, to provide for the construction of a nursing home. The petition includes the termination of commitments made in rezoning petition 86-Z-109.

REZONING ORDINANCE NO. 191, 1987. 87-Z-189 LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 5  
12402 EAST 79TH STREET, INDIANAPOLIS.

86th Street Development Company, by Stephen D. Mears, requests the rezoning of 199 acres, being in the A-2 district, to the D-3 classification, to provide for single-family homes.

REZONING ORDINANCE NO. 192, 1987. 87-Z-190 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
9801 RAWLES AVENUE, INDIANAPOLIS.

Cumberland Church of God requests the rezoning of 6.13 acres, being in the A-2 district, to the SU-1 classification, to provide for church use.

REZONING ORDINANCE NO. 193, 1987. 87-Z-197 DECATUR TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
5450 SOUTH HIGH SCHOOL ROAD, INDIANAPOLIS.

The Metropolitan School District of Decatur Township, by Charles W. Hunter, requests the rezoning of 34.45 acres, being in the A-2 and C-2 districts, to the SU-2 classification, to provide for school use.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 498, 1987. This proposal appropriates \$1,325,000 for the Marion County Justice Agency to complete Phase I of the JUSTIS Data Processing System.

Councillor Dowden stated that the appropriation will complete Phase I which includes the Jail Management System, the Pre-trial Informative System, the Criminal Court Management System, the Uniform Traffic Tickets Financial System and the Witness System. A portion of Phase II will also fund for the Clerk Financial/Probation Financial Control System. The vendor for Phase I was Coopers and Lybrand and Ernst and Whinney are working to establish specifications upon which bids can be accepted for Phase II.

Councillor Dowden indicated that as of September 30, 1987, \$1.5 million had been spent in 1987 and \$1.1 million in 1986 for this project. The County will be reimbursed for the County General Fund out of bond proceeds for the expenditure of the appropriation.

Councillor Curry inquired as to the deliverables of this system and Prosecutor Stephen Goldsmith replied that they are yet to be specified.

Councillor Clark questioned JUSTIS' marketability and Prosecutor Goldsmith replied that cities the size of Indianapolis would be very marketable.

Councillor Williams asked if Mr. Goldsmith believes this system will work. He answered that undoubtedly there have been mistakes made, but the complexity of this system was underestimated. He stressed that Coopers and Lybrand have brought a talented person to the management of this system and is confident that the system will work.

The Public Safety and Criminal Justice Committee on September 30, 1987, recommended Proposal No. 498, 1987, Do Pass As Amended by a 6-1 vote. The President

called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Giffin, for adoption. Proposal No. 498, 1987, As Amended, was adopted on the following roll call vote; viz:

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

0 NAYS

2 NOT VOTING: *Boyd, Page*

Proposal No. 498, 1987, As Amended, was retitled FISCAL ORDINANCE NO. 143, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 143, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional One Million Three Hundred Twenty-five Thousand Dollars (\$1,325,000) in the County General Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (c)(8) 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 Justice Agency to complete Phase I of the JUSTIS Data Processing System.

SECTION 2. The sum of One Million Three Hundred Twenty-five Thousand Dollars (\$1,325,000) 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 JUSTICE AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 50,000
3. Other Services & Charges	1,210,000
4. Capital Outlay	<u>65,000</u>
TOTAL INCREASE	\$1,325,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>\$1,325,000</u>
TOTAL REDUCTION	\$1,325,000

SECTION 5. The sum of One Million Three Hundred Twenty-five Thousand Dollars (\$1,325,000) appropriated from the County General Fund pursuant to this ordinance shall be reimbursed from the proceeds of notes or bonds issued by Marion County, which notes or bonds are issued to pay the remaining costs of the JUSTIS Data Processing System and the sum appropriated hereunder.

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

Councillor Gilmer requested that Proposal No. 407, 1987, be heard next on the agenda. Consent was given.

PROPOSAL NO. 407, 1987. This proposal amends the Code with regard to parking privileges for physically incapacitated persons. Councillor Gilmer stated that the Transportation Committee was presented amendments to Proposal No. 407, by Miss Karen Little, City Legal Division. The amendments: 1) provide a new definition of physically handicapped person: 2) clarify that metered spaces are reserved for hand-

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icapped use for 7 days a week, 24 hours a day: 3) limit the reserved spaces to 1 per City block in the central parking district, 4) provide that all time restrictions and charges for parking apply to reserved spaces: 5) permit the director for the Department of Transportation to waive the time restrictions and parking charges to any physically handicapped person who files an affidavit with the Department stating that he is physically incapable of depositing money in the meter; and 6) recognize the unexpired handicapped decals, license plates, or permits of other states, so that the owners or operators of those vehicles may also utilize reserved spaces.

Councillor Miller moved, seconded by Councillor West, to amend Proposal No. 407, 1987, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 407, 1987, as reported by the Transportation Committee as follows:

at the end of the first sentence of subsection (b) of Section 29-256.2, add the following words, "provided that such designation shall not authorize handicapped parking in such spaces during hours when parking is otherwise prohibited at such location.

Donald Miller

This motion was adopted by a unanimous voice vote.

Councillor Rhodes moved, seconded by Councillor Miller, to amend Proposal No. 407, 1987, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 407, 1987, as reported by the Transportation Committee by deleting the following sentence in Section 29-256.2, subsection 2:

"within the central parking district, as defined in Sec. 29-286 of this Code.

Councillor Stuart Rhodes

This motion was adopted by a unanimous voice vote.

The Transportation Committee on October 21, 1987, recommended Proposal No. 407, 1987, Do Pass As Amended by a 3-0 vote. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption.

Councillor Shaw expressed concerns with people visiting the downtown area after 6:00 p.m., and if they would be allowed to park in these designated spaces and Miss Little replied "no". Councillor Gilmer commented that Proposal No. 407, 1987, is a step in the right direction giving handicapped people a place to park.

Councillor Shaw opined that persons who patronize downtown will not like the new ordinance and suggested that the ordinance be implemented on a probationary period.

Councillor Stewart indicated that there are not meter maids during the evening and questioned who would enforce the parking prohibitions. Councillor Gilmer replied

that the police will have to perform this task. President SerVaas commented that he is hopeful that citizens of Indianapolis would utilize the honor system.

Ms. Hester Schultz, 504 Coordinator, indicated that this type of proposal has been needed for a long time and that public education about handicapped persons has come a long way. She stated that the Department of Public Safety and the Mayor's Advisory Council will be working together to develop enforcement procedures.

Councillor Page hypothetically questioned what would happen if more than one handicapped person desired to park on the same city block. He believed that the handicapped person should have some type of permit that would allow them to park anywhere anytime.

Councillor Durnil moved the question to end previous debate.

Proposal No. 407, 1987, As Amended, was adopted by 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. 407, 1987, As Amended, was retitled GENERAL ORDINANCE NO. 98, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 98, 1987

A GENERAL ORDINANCE concerning handicapped parking privileges.

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

SECTION 1. Section 29-256 of the Code of Indianapolis and Marion County, Indiana, is hereby repealed.

SECTION 2. Section 29-256.2 of the Code of Indianapolis and Marion County, Indiana, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 29-256.2. Parking meter privileges for physically handicapped persons.

(a) As used in this section, "Physically handicapped person" means:

- (1) any person who has been issued a placard by the Division of Rehabilitation Services of the Indiana Department of Human Services pursuant to I.C. 4-28-10-24;
- (2) any person who has been issued a handicapped registration plate for a motor vehicle pursuant to I.C. 9-7-4.1; or
- (3) any person who has been issued a disabled veteran's registration plate pursuant to I.C. 9-7-4.

~~(b) The director of the department of transportation of the City of Indianapolis is hereby authorized and powered to shall reserve metered parking meter spaces, on public streets, as needed, to be used for the exclusive use of physically handicapped persons, as defined in subsection (a) seven (7) days per week twenty-four (24) hours per day provided that such designation shall not authorize handicapped parking in such spaces during hours when parking is otherwise prohibited at such location.~~

The director shall designate one (1) space in each city block of metered spaces. Whenever possible, such space shall be at either the beginning or the end of the block.

~~(b) Physically handicapped person as used in this section means any person certified by a qualified physician to be disabled in a manner rendering it impossible or difficult and burdensome for him or her to walk for an extended period of time (such as one year).~~

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(c) Physically handicapped persons who park at designated metered spaces shall display on their vehicle either a placard issued pursuant to I.C. 4-28-10-24, a handicapped registration plate issued pursuant to I.C. 9-7-4.1, or a disabled veteran's registration plate issued pursuant to I.C. 9-7-4. Failure to display such placard or plate shall be a violation of this section and shall subject the owner or operator of the vehicle to the penalties provided for violations of this chapter.

(d) Physically handicapped persons who park at designated metered spaces shall be subject to all restrictions and requirements applicable to such meters, including time restrictions and charges for parking. Failure to comply with such restrictions and requirements is a violation of this section and shall subject the owner or operator of the vehicle to the penalties provided for violations of this chapter. However, the director of the department of transportation shall issue a permit waiving time restrictions and parking charges to any physically handicapped person who files an affidavit with the department stating that he is physically incapable of depositing money in a parking meter. It shall be unlawful for any person to park at a designated metered space without depositing money in the meter unless a permit issued pursuant to this subsection is prominently displayed on the vehicle so parked.

(e) A vehicle displaying the placard or license plate required in subsection (b) above, is eligible to be parked in the designated spaces only when the vehicle is being operated by or is providing transportation for the person to whom the placard or license plate has been issued. Failure to comply with this restriction is a violation of this section and shall subject the owner or operator of the vehicle to penalties provided for violations of this chapter.

(f) Any person who parks at a metered space designated pursuant to subsection (b) and who fails to display the placard or plate required by subsection (c) or who is not eligible to obtain such a placard or plate shall be in violation of this section. Such violation shall subject the owner or operator of the vehicle to penalties provided for violation of this chapter. However, a vehicle displaying an unexpired handicapped parking permit, an unexpired disabled veteran's registration plate or decal issued under the laws of another state may also park in designated metered spaces pursuant to this section.

SECTION 3. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinances does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

Councillor Clark requested that Proposal No. 559, 1987, be heard next on the agenda. Consent was given.

PROPOSAL NO. 559, 1987. This proposal approving the Brookville/Senour Economic Development Area.

Councillor Borst stated that the entire project consists of 255 acres. There will be a housing development and golf course that will be located in Warren Township, south of Brookville Road at Senour Road. The improvements can be paid for with the proceeds of tax increment financing revenue bonds issued by the city. An estimate of the entire package is \$3.25 million dollars. Golf Course related expenses are estimated at \$750,000 and cost of water to the area is about \$230,000.

Councillor Clark indicated that the private sector has been attempting to get development completed on Senour Road for a long time and expressed his appreciation to Messrs. Mike Higbee and Fred Armstrong for their creative financing.

The Metropolitan Development Committee on October 21, 1987, recommended Proposal No. 559, 1987, Do Pass by a 5-0 vote. Councillor Borst moved, seconded

by Councillor Clark, for adoption. Proposal No. 559, 1987, was adopted on the following roll call vote; viz:

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

0 NAYS

2 NOT VOTING: *Giffin, Howard*

Proposal No. 559, 1987, was retitled SPECIAL ORDINANCE NO. 17, 1987, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 17, 1987

A SPECIAL ORDINANCE approving the Brookville/Senour Economic Development Area.

WHEREAS, on August 5, 1987, the Metropolitan Development Commission of Marion County, Indiana ("Commission") adopted the Brookville/Senour Economic Development Area Declaratory Resolution, Resolution 87-185 ("Declaratory Resolution"), determining that the geographic area described in the Brookville/Senour Economic Development Area Boundary Map attached to said Declaratory Resolution is an economic development area under I.C. 36-7-15.1; and

WHEREAS, on August 19, 1987, the Commission, pursuant to notice as required by law, held a public hearing on the Declaratory Resolution and all persons affected by or interested in said proceedings were given an opportunity to file written remonstrances and to speak at the public hearing; and

WHEREAS, on August 19, 1987, at the conclusion of the public hearing, the Commission adopted the Brookville/Senour Economic Development Area Confirmatory Resolution, Resolution 87-198 ("Confirmatory Resolution"), confirming and adopting the Declaratory Resolution; and

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, now finds that the determination of the Brookville/Senour Economic Development Area as an economic development area by the Commission ought to be approved; now, therefore:

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

SECTION 1. The City-Council Council hereby approves the determination made by the Commission that the Brookville/Senour Economic Development Area, as designated in the Declaratory Resolution and the Confirmatory Resolution, is an economic development area pursuant to I.C. 36-7-15.1, and the City-County Council hereby approves and confirms the Declaratory Resolution and the Confirmatory Resolution.

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

PROPOSAL NO. 539, 1987. This proposal appropriates \$125,000 for the County Auditor to perform title searches and to pay administrative costs for properties offered in the annual tax sale. Councillor Cottingham indicated that the title searches will be a \$100 per parcel fee that will be collected for each parcel sold in the tax sale. For postage and publication, a \$25 per parcel fee will be collected for each parcel eligible for the tax sale. Expenditures will not be made for title searches unless the fee is collected which will then reimburse the County General Fund. The County and Townships Committee on October 13, 1987, recommended Proposal No. 539, 1987, Do Pass by a 4-0 vote. The President called for public testimony at 8:19 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Williams, for adoption. Proposal No. 539, 1987, was adopted on the following roll call vote; viz:

24 YEAS: *Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*

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0 NAYS

5 NOT VOTING: *Borst, Giffin, Howard, Page, Schneider*

Proposal No. 539, 1987, was retitled FISCAL ORDINANCE NO. 144, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 144, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional One Hundred Twenty-five Thousand Dollars (\$125,000) in the County General Fund for purposes of the 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 County Auditor to perform title searches and pay administrative costs for properties offered in the tax sale.

SECTION 2. The sum of One Hundred Twenty-five Thousand Dollars (\$125,000) 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 GENERAL FUND</u>
3. Other Services & Charges	\$125,000
TOTAL INCREASE	\$125,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	\$125,000
TOTAL REDUCTION	\$125,000

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

PROPOSAL NO. 560, 1987. This proposal appropriates \$8,000 for the Superior Court, Juvenile Division, to provide funds from the Guardian Ad Litem Fund. PROPOSAL NO. 561, appropriates \$11,000 for the Superior Court, Juvenile Division, for a project turnabout. The Public Safety and Criminal Justice Committee on October 14, 1987, recommended Proposal Nos. 560 and 561, 1987, Do Pass by a 9-0 vote. The President called for public testimony at 8:21 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal Nos. 561 and 562, 1987, were adopted on the following roll call vote; viz:

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

0 NAYS

4 NOT VOTING: *Giffin, Howard, Page, Schneider*

Proposal No. 560, 1987, was retitled FISCAL ORDINANCE NO. 145, 1987, and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 145, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Eight Thousand Dollars (\$8,000) in the Guardian Ad Litem Fund for purposes of the Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Guardian Ad Litem Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(4) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Superior Court, Juvenile Division, to provide funds from the Guardian Ad Litem Fund.

SECTION 2. The sum of Eight Thousand Dollars (\$8,000) 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:

SUPERIOR COURT	
<u>JUVENILE DIVISION</u>	<u>GUARDIAN AD LITEM FUND</u>
3. Other Services & Charges	\$8,000
TOTAL INCREASE	\$8,000

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

	<u>GUARDIAN AD LITEM FUND</u>
Unappropriated and Unencumbered	
Guardian Ad Litem Fund	\$8,000
TOTAL REDUCTION	\$8,000

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

Proposal No. 561, 1987, was retitled FISCAL ORDINANCE NO. 146, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 146, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Eleven Thousand Dollars (\$11,000) in the County Grants Fund for purposes of the Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(4) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Superior Court, Juvenile Division, for a project turnabout.

SECTION 2. The sum of Eleven Thousand Dollars (\$11,000) 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:

SUPERIOR COURT	
<u>JUVENILE DIVISION</u>	<u>COUNTY GRANTS FUND</u>
3. Other Services & Charges	\$11,000
TOTAL INCREASE	\$11,000

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	\$11,000

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TOTAL REDUCTION

\$11,000

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

PROPOSAL NO. 562, 1987. This proposal appropriates \$31,907 for a new federally funded program called ROPE. Councillor Dowden stated that ROPE, (Repeat Offender Program), is a federally funded program that deals with targeting narcotic cases. The Public Safety and Criminal Justice Committee on October 14, 1987, recommended Proposal No. 562, 1987, Do Pass by a 6-0-1 vote. The President called for public testimony at 8:24 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 562, 1987, was adopted on the following roll call vote; viz:

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

1 NAY: *Schneider*

2 NOT VOTING: *Giffin, Page*

Proposal No. 562, 1987, was retitled FISCAL ORDINANCE NO. 147, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 147, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Thirty-one Thousand Nine Hundred Seven Dollars (\$31,907) 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 (b)(22) and 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 Prosecuting Attorney for a new federally funded program called ROPE.

SECTION 2. The sum of Thirty-one Thousand Nine Hundred Seven Dollars (\$31,907) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$22,477
3. Other Services & Charges	6,372
<u>COUNTY AUDITOR</u>	
31. Personal Services (Fringes)	<u>3,058</u>
TOTAL INCREASE	\$31,907

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>\$31,907</u>
TOTAL REDUCTION	\$31,907

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

**SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 279, 1987. This proposal concerns the wearing of headphones. No action was taken.

PROPOSAL NO. 386, 1987. This proposal appropriates \$100,000 for the County Auditor to provide a portion of the required county funding for the IMAGIS computer project. Councillor Cottingham requested that Proposal No. 386, 1987, be postponed until November 23, 1987. By Consent Proposal No. 386, was postponed until November 23.

PROPOSAL NO. 400, 1987. This proposal appropriates \$117,760 for the Superior Court, Juvenile Division, for use in establishment of satellite offices. Councillor Dowden requested that Proposal No. 400, 1987, be postponed until November 23, 1987. By Consent, Proposal No. 400, was postponed until November 23.

PROPOSAL NO. 478, 1987. This proposal is a rezoning ordinance for Lawrence Township, Councilmanic District 5, 6330 Germantown Road. Councillor Nickell requested that Proposal No. 478, be postponed until November 23, 1987. Consent was given to postpone Proposal No. 478, until November 23.

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 563, 1987. This proposal appropriates \$50,000 for the Prosecuting Attorney for use by the Indianapolis Police Department, Marion County Prosecutor's Office. The Public Safety and Criminal Justice Committee on October 14, 1987, recommended Proposal No. 563, 1987, Do Pass by a 8-0 vote. Councillor Dowden moved, seconded by Councillor Holmes, for adoption.

Proposal No. 563, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 563, 1987, was retitled FISCAL ORDINANCE NO. 148, 1987, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 148, 1987**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating Fifty Thousand Dollars (\$50,000) in the Law Enforcement Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that Department.

**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 for use by the Indianapolis Police Department, Marion County Sheriff's Department and Marion County Prosecutor's Office.

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.

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SECTION 3. The following increased appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>LAW ENFORCEMENT FUND</u>
4. Capital Outlay	\$50,000
TOTAL INCREASE	\$50,000

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

<u>PROSECUTING ATTORNEY</u>	<u>LAW ENFORCEMENT FUND</u>
3. Other Services & Charges	\$50,000
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. 564, 1987. This proposal appropriates \$45,000 for the Prosecuting Attorney to offset transfer of contractual attorneys to payroll. Councillor Dowden explained that because two of the contractual attorneys are still on the Prosecuting Attorney's payroll as full-time employees, they are requesting the transfer to meet the payroll needs through the end of the year. The Public Safety and Criminal Justice Committee on October 14, 1987, recommended Proposal No. 564, 1987, Do Pass by a 9-0 vote. Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 564, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 564, 1987, was retitled FISCAL ORDINANCE NO. 149, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 149, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating Forty-five Thousand Dollars (\$45,000) in the County General Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that Department.

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 offset transfer of contractual attorneys to payroll.

SECTION 2. The sum of Forty-five Thousand Dollars (\$45,000) 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>COUNTY GENERAL FUND</u>
1. Personal Services	\$45,000
TOTAL INCREASE	\$45,000

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	\$45,000
TOTAL REDUCTION	\$45,000

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

PROPOSAL NO. 565, 1987. This proposal is concerning the duties of the Marion County Sheriff's Department. Councillor Dowden stated that Proposal No. 565, extends the authority of the Marion County Sheriff's Department to impound vehicles and ticket parked cars which are in violation of the ordinance, which prohibits parking cars "for sale" on public and maintained streets. The Public Safety and Criminal Justice Committee on October 14, 1987, recommended Proposal No. 565, 1987, Do Pass As Amended by a 9-0 vote. Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 565, 1987, As Amended, was adopted on the following roll call vote; viz:

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

0 NAYS

1 NOT VOTING: *Giffin*

Proposal No. 565, 1987, As Amended, was retitled GENERAL ORDINANCE NO. 99, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 99, 1987

A GENERAL ORDINANCE concerning the duties of the Marion County Sheriff's Department.

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

SECTION 1. Section 29-267 of the Code of Indianapolis and of Marion County, Indiana, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 29-267. Definitions.

As used in this division, the following terms shall have the meanings ascribed to them in this section:

(1) "Vehicle" shall mean a machine propelled by power other than human power, designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery, and shall include, without limitation automobile, truck, trailer, motorcycle, tractor, buggy and wagon.

(2) "Wrecker" shall mean any person engaged in the business of offering the services of a towing vehicle for use in removing, pulling, lifting or pushing another vehicle which is disabled, and shall include the employees, agents and towing vehicles used in the business of providing towing services.

(3) "Person" shall mean all natural persons, firms, partnerships and corporations.

(4) "Director" shall mean the director of the department of public safety of the City of Indianapolis.

(5) "Sheriff" shall mean the Sheriff of Marion County.

~~(5)(6)~~ "Safety board" shall mean the board of public safety created under Indiana Code ~~18-A-3-12-~~  
36-3-5-6.

~~(6)(7)~~ "Officer" means any member of the Indianapolis Police Department.

(8) "Deputy" means any active or reserve deputy of the Marion County Sheriff's Department.

~~(7)(9)~~ "Franchise" means the authority within a designated zone to tow vehicles on behalf of the city.

~~(8)(10)~~ "Franchise fee" means that certain sum of money paid by the owner, operator, or authorized representative of same, of a towed vehicle by the franchised wrecker for remittance to the city, as a portion of the towing fee.

~~(9)(11)~~ "Tow" means the act of lifting, pushing, pulling or removing a vehicle.

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~~(10)~~(12) "Impoundment" means the act of taking temporary custody of a vehicle and towing it from a public street, highway or right-of-way to an authorized secured area.

~~(11)~~(13) "Towing fee" means that certain sum of money charged the owner, operator, or authorized representative of same, of a towed vehicle.

~~(12)~~(14) "Storage fee" shall mean that certain sum of money charged the owner, operator, or authorized representative of same, for the safekeeping of the impounded vehicle.

~~(13)~~(15) "Police hold" means an order from the police department to impound a vehicle because of its suspected involvement in criminal activity.

(16) "Deputy hold" means an order from the Sheriff's department to impound a vehicle because of its suspected involvement in criminal activity.

~~(14)~~(17) "Accident" means a collision of vehicles or a vehicle an object on a public street, highway, right-of-way or publicly owned property.

SECTION 2. Sec. 26-368 of the Code of Indianapolis and of Marion County, Indiana, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 29-368. Certain vehicles declared a public nuisance.

Any vehicle parked or left standing unattended upon any street or public place in the city in violation of any of the provisions of this Code or of any statute of the state, or any vehicle known to have been stolen or wrecked and left standing on any street or public place, or any vehicle the operator of which is unable to move such vehicle by reason of his incapacity from injury or arrest, or any vehicle upon which there is a police force hold or deputy hold or which has been involved in four (4) or more violations of traffic ordinances of the city for which notices of traffic violations have been issued pursuant to this chapter, which notices of traffic violations have not been paid, presented for compromise payment or slated into court pursuant to this chapter, is hereby declared to be a public nuisance.

SECTION 3. Section 29-369 of the Code of Indianapolis and of Marion County, Indiana, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 29-369. Removal of vehicles constituting a nuisance.

Any officer, or deputy upon discovering a vehicle parked or left standing so as to constitute a public nuisance pursuant to the provisions of this division, shall cause the vehicle to be removed to an authorized storage place where it shall be impounded and detained as provided in this division. Such vehicles shall be released only upon order of the chief of police, sheriff, or the director, or upon an order of the judge of any court having jurisdiction over the vehicle.

SECTION 4. Section 29-371 of the Code of Indianapolis and of Marion County, Indiana, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 29-371. Removal of vehicles: release.

(a) Any officer, or deputy upon discovering a vehicle parked or left standing so as to constitute a public nuisance, may cause the vehicle to be impounded. Impounded vehicles shall be released either upon payment by the owner, operator or authorized representative of same, of the fees charged for impoundment and storage, or upon order of the chief of police, the sheriff, or the director, or upon order of any court having jurisdiction over the vehicle.

(b) All vehicles impounded by reason of being wrecked, stolen or otherwise coming into the custody of the police department, and those impounded for parking violations, may be impounded in lots maintained for such purposes by franchised wreckers or in a lot authorized and chosen by the director, but that lot shall not be operated by any Marion County governmental agency. The attendant for any central lot shall collect the towing fees for the franchised wreckers and shall remit same to the wreckers monthly, along with monthly reports to the director in such form as he shall prescribe.

(c) All vehicles impounded by reason of being wrecked, stolen or otherwise coming into the custody of the sheriff's department, and those impounded for parking violations, may be impounded in lots authorized and chosen by the sheriff. Fees for vehicles impounded by the sheriff's department shall be collected accordance with sheriff's department policy.

SECTION 5. Section 29-376 of the Code of Indianapolis and of Marion County, Indiana, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

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Sec. 29-376. Liability of city and wrecker.

(a) The City shall not be liable for any loss or damage which may occur to any vehicle which is removed pursuant to the provisions of this division. The wrecker shall indemnify and hold harmless the city, its officers, agents and employees, from any loss, claim, judgment or damages arising from the removal and storage of vehicles pursuant to this division. The wrecker shall have sole responsibility for any articles of personal property which may be contained in any vehicle at the time of its removal: such articles of personal property shall not be held by the contract wrecker in lieu of the service charges authorized herein but shall be returned by him or his agents to the owner thereof upon sufficient identification and proof of ownership. The officer directing the removal of a vehicle shall verify what personal property in plain view is contained in it prior to its removal, report such articles to police headquarters and/or on the incident report, and if possible, remove all property of value to the police department property room pursuant to existing police department regulations. If certain items of personal property cannot be stored by the police department, the wrecker company shall store said items, and the officer in charge shall furnish a copy of the list of said items to the wrecker truck operator for the use of the wrecker service. Said list prepared by the officer shall be signed by the wrecker operator after the wrecker operator has verified the existence of the items so listed.

~~(b) The county shall not be liable for any loss or damage which may occur to any vehicle which is removed pursuant to the provisions of this division. The wrecker shall indemnify and hold harmless the county, its officers, agents and employees, from any loss, claim, judgment or damages arising from the removal and storage of vehicles pursuant to this division. The wrecker shall have sole responsibility for any articles of personal property which may be contained in any vehicle at the time of its removal: such articles of personal property shall not be held by the contract wrecker in lieu of the service charges authorized herein but shall be returned by him or his agents to the owner thereof upon sufficient identification and proof of ownership.~~

SECTION 6. Section 29-377 of the Code of Indianapolis and of Marion County, Indiana, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

A wrecker directed by an officer, a deputy, or the police, or sheriff's dispatcher to remove vehicles from the scene of any accident shall clean the street or accident location of all debris caused by the accident.

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

PROPOSAL NO. 568, 1987. This proposal authorizes the Department of Transportation to purchase certain real property. PROPOSAL NO. 569, 1987. This proposal amends the Code with regard to passenger and materials loading zones for Pennsylvania Street. PROPOSAL NO. 570, 1987. This proposal amends the Code by establishing prohibited parking on Craig Street, and authorizing intersection control changes at Craig Street, Masters Road and 86th Street. PROPOSAL NO. 571, 1987. This proposal amends the Code by authorizing bus stop and trolley zones at various locations. PROPOSAL NO. 572, 1987. This proposal amends the Code by authorizing intersection control changes at Hague Road and 75th Street. PROPOSAL NO. 573, 1987. This proposal amends the Code by authorizing intersection control changes at High School Road and 46th Street. The Transportation Committee on October 21, 1987, recommended Proposal Nos. 568 - 573, 1987, Do Pass by a 5-0 vote. Councillor Gilmer moved, seconded by Councillor McGrath, for adoption. Proposal Nos. 568 - 573, 1987, were adopted on the following roll call vote; viz:

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

0 NAYS

3 NOT VOTING: *Clark, Dowden, Giffin*

Proposal No. 568, 1987, was retitled GENERAL RESOLUTION NO. 21, 1987, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 21, 1987

A GENERAL RESOLUTION authorizing the Department of Transportation to purchase certain real property.

October 26, 1987

WHEREAS, I.C. 36-1-10.5 requires that the physical body of a political subdivision pass a resolution expressing its interest in purchasing real property when the price exceeds \$25,00; and

WHEREAS, the Department of Transportation has planned various street improvement projects which require acquisitions of real properties for additional right-of-way, the purchase prices of which are anticipated to exceed \$25,000; 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, in accordance with I.C. 36-1-10.5, the Department of Transportation expresses interest in the purchase of a portion of the real properties identified on the attached Exhibit "A" to be utilized for right-of-way purposes.

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

Proposal No. 569, 1987, was retitled GENERAL ORDINANCE NO. 100, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 100, 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 materials loading zones, be, and the same is hereby amended by the inserting the language underscored below:

Pennsylvania Street, on the east side, from a point 94 feet north of Walnut Street to a point 156 feet north of Walnut Street.

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

Proposal No. 570, 1987, was retitled GENERAL ORDINANCE NO. 101, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 1987

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets and 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 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by inserting the language underscored below:

Craig Street, on both sides, from 82nd Street to 86th Street.

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 inserting the language underscored and deleting the language crosshatched below:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 3	Masters Rd & 86th St	Masters Rd	Stop
6, Pg. 3	Craig St, Masters Rd & 86th St	Craig St & Masters Rd	Stop

SECTION 3. 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. 571, 1987, was retitled GENERAL ORDINANCE NO. 102, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 102, 1987

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-332, bus stop and trolley stop 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 29-332, bus stop and trolley stop zones, be, and the same is hereby amended by inserting the language underscored and deleting the language crosshatched below:

Trolley Stop Zones

~~Agnes Street, on the west side, from a point 380 feet north of New York Street, to a point 420 feet north of New York Street (40 feet);~~

~~Market Street, on the west side, from a point 16 feet north of Ninth Street, to a point 66 feet north of Ninth Street (50 feet);~~

~~Market Street, on the east side, from a point 21 feet south of Ninth Street, to a point 68 feet south of Ninth Street (47 feet);~~

~~Market Street, on the east side, from a point 13 feet south of New York Street, to a point 72 feet south of New York Street (59 feet);~~

~~Merrill Street, on the south side, from a point 41 feet east of Alabama Street, to a point 80 feet east of Alabama Street (39 feet);~~

~~New York Street, on the south side, from a point 414 feet west of Blackford Street, to a point 455 feet west of Blackford Street (41 feet);~~

~~Pennsylvania Street, on the west side, from a point 15 feet south of Ohio Street, to a point 75 feet south of Ohio Street (60 feet);~~

~~Eleventh Street, on the south side, from a point 46 feet east of Meridian Street, to a point 106 feet east of Meridian Street (60 feet);~~

~~Meridian Street, on the west side, from a point 16 feet north of Ninth Street, to a point 66 feet north of Ninth Street (50 feet);~~

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

Proposal No. 572, 1987, was retitled GENERAL ORDINANCE NO. 103, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 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 inserting the language underscored and deleting the language crosshatched below:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 2	Hague Rd. & E. 75th St	None	Stop

