

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, January 31, 1983**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:30 p.m., Monday, January 31, 1983. President SerVaas in the Chair. Councillor Michael D. Vollmer opened the meeting with a prayer, followed by the Pledge of Allegiance.

**ROLL CALL**

President SerVaas instructed the Clerk to take the roll. Twenty-nine members being present, he announced a quorum.

*PRESENT: Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

**CORRECTION OF THE JOURNAL**

The Chair called for additions or corrections to the Journal of December 23, 1982. There being no additions or corrections to the Journal, the minutes were approved as distributed.

**OFFICIAL COMMUNICATIONS**

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

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:**

**Mr. President:**

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, January 31, 1983, at 7:00 p.m. The purpose of such **MEETING** being to conduct any and all business that may properly come before the regular meeting of the Council.

**Respectfully,**

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

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

**Ladies and Gentlemen:**

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS on January 19 and 26, 1983, and the Indianapolis COMMERCIAL on January 17 and 24, 1983, a copy of NOTICE TO TAXPAYERS of General Ordinance No. 128, 1982.

Respectfully,

s/Beverly S. Rippey  
City Clerk

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

**Ladies and Gentlemen:**

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on January 20 and 27, 1983, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 4, 5, 6, and 17, 1983, and Proposal No. 523, 1982, to be held on Monday, January 31, 1983, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippey  
City Clerk

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

**Ladies and Gentlemen:**

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

**FISCAL ORDINANCE NO. 1, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional One Hundred Forty-six Thousand Six Hundred Twenty-nine dollars (\$146,629) in the Crime Control Fund for purposes of the Marion County Prosecutor and the Marion County Auditor and reducing the unappropriated and unencumbered balance in the Crime Control Fund.**

**FISCAL ORDINANCE NO. 2, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Superior Court - Juvenile Division.**

**FISCAL ORDINANCE NO. 3, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Juvenile Detention Center.**

**GENERAL ORDINANCE NO. 1, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 21 1/2-21, Automatic telephone devices prohibited.**

**GENERAL ORDINANCE NO. 2, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.**

GENERAL ORDINANCE NO. 3, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 4, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 5, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 6, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 7, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 8, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 9, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 10, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 11, 1983, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

GENERAL ORDINANCE NO. 12, 1983, amending the "Code of Indianapolis and Marion County, Indiana", changing intersection controls at 16th Street and New Senate Avenue and parking control changes on Old Senate and New Senate.

SPECIAL RESOLUTION NO. 1, 1983, honoring the John Marshall High School Girls Basketball Team as the 1982 City Basketball Champions.

SPECIAL RESOLUTION NO. 4, 1983, approving a Sister-City Relationship between Zurich, Switzerland and Indianapolis, Indiana in extending an invitation to the Mayor of Zurich for his City to join with Indianapolis in this cooperative relationship.

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

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

PROPOSAL NO. 13, 1983. Councillor Coughenour read the proposal honoring the Roncalli High School Girls Volleyball Team. She presented the team and coaches with a copy of the resolution. Councillor Coughenour moved, seconded by Councillor Miller, for adoption. Proposal No. 13, 1983, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 6, 1983, and reads as follows:

### CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1983

A SPECIAL RESOLUTION honoring the Roncalli High School Girls Volleyball Team.

WHEREAS, the Roncalli High School Girls Volleyball Team had an outstanding 1982 season with thirty-four wins and only four losses; and

WHEREAS, the team won the 1982 Indiana High School Sectional Championship; and

WHEREAS, team member Susie Kuntz was named to the Indiana All-State Team; and

WHEREAS, team members Jane Deak and Susie Kuntz were named to the Indianapolis All-City Team; and

WHEREAS, team member Kathy Yates has been named to the Indianapolis Second Team All-City; and

WHEREAS, team member Marni Kirkhoff has received Indianapolis All-City Honorable Mention; and

WHEREAS, the Roncalli High School Girls Volleyball Team won the 1982 Indianapolis High School Volleyball Title; and

WHEREAS, Coach Kathy Nalley Schembra; Assistant Coaches Mary Hall, Debbie Mappes and Wiley Craft; Manager Greg Bakeis; and members Kathy Yates, Susie Kuntz, Jane Deak, Angie Bartram, Mary Jo Boyce, Karen Feeney, Kristie Kelly, Maureen Field and Marni Kirkhoff deserve praise for their joint efforts in securing this Title; now, therefore:

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

SECTION 1. The City-County Council honors the 1982 Roncalli High School Girls Volleyball Team for its success in winning the Indianapolis Championship.

SECTION 2. The Mayor is invited to join with the Council 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. 14, 1983. Councillor Howard read the proposal honoring Betty J. Nixon as Executive Director of Youth Works. He moved, seconded by Councillor Journey, for adoption. Proposal No. 14, 1983, was adopted by unanimous voice vote. Councillor Howard presented Mrs. Nixon with the resolution. Proposal No. 14, 1983, was retitled SPECIAL RESOLUTION NO. 2, 1983, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 2, 1983**

**A SPECIAL RESOLUTION commending Betty J. Nixon, Executive Director of Youth Works.**

WHEREAS, Youth Works commenced operations in August of 1978 as a project of the Indianapolis Chamber of Commerce; and

WHEREAS, Youth Works serves young people between the ages of sixteen and twenty-one by providing pre-employment counseling, entry level job placement in the private sector and post employment follow-up at no charge; and

WHEREAS, Youth Works is funded by the Lilly Endowment resulting in no fees to employers or youth; and

WHEREAS, Youth Works has placed 892 youths with more than 287 employers and provided more than 2,500 youths with pre-employment counseling; and

WHEREAS, 314 youths have been placed in entry level jobs in 1982 and over 500 have received pre-employment counseling; and

WHEREAS, Betty J. Nixon has been Youth Works' Executive Director since the programs inception; 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 commends Betty J. Nixon for her excellent leadership as Executive Director of Youth Works.

**SECTION 2.** Betty J. Nixon's work at Youth Works is greatly appreciated by the entire community and this council for providing youth with the opportunity to enter the work force.

**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. 15, 1983. Councillor Howard read the proposal honoring Donald Harper and Daniel Brandon of Youth Works. He moved, seconded by Councillor trader, for adoption. Proposal No. 15, 1983, was adopted by unanimous voice vote. Councillor Howard presented resolutions to Mr. Harper and Mr. Brandon. Proposal No. 15, 1983, was retitled SPECIAL RESOLUTION NO. 3, 1983, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1983**

A SPECIAL RESOLUTION commending Donald B. Harper, Director of Counseling Services and Daniel Brandon, the Director of Employment Services, of Youth Works.

WHEREAS, Youth Works commenced operations in August of 1978 as a project of the Indianapolis Chamber of Commerce; and

WHEREAS, Youth Works serves young people between the ages of sixteen and twenty-one by providing pre-employment counseling, entry level job placement in the private sector and post employment follow up at no charge; and

WHEREAS, Youth Works is funded by the Lilly Endowment resulting in no fees to employers or youth; and

WHEREAS, Youth Works has based 892 youths with more than 287 employers and provided more than 2,500 youths with pre-employment counseling; and

WHEREAS, 314 youths have been placed in entry level jobs in 1982 and over 500 have received pre-employment counseling; and

WHEREAS, Donald B. Harper, Director of Counseling Services and Daniel Brandon, Director of Employer Services have been with Youth Works since the programs inception; 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 commends Donald B. Harper, Director of Counseling Services and Daniel Brandon, Director of Employer Services of Youth Works for their efforts in this vital area.

**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. 24, 1983. Councillor Howard read the proposal honoring the Board of Directors of Youth Works and he presented them with a copy of the resolution. Councillor Howard moved, seconded by Councillor Strader, for adoption. Proposal No. 24, 1983, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 5, 1983, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1983**

**A SPECIAL RESOLUTION commending the Board of Directors of Youth Works.**

WHEREAS, Youth Works commenced operations in August of 1978 as a project of the Indianapolis Chamber of Commerce; and

WHEREAS, Youth Works serves young people between the ages of sixteen and twenty-one by providing pre-employment counseling, entry level job placement in the private sector and post employment follow-up at no charge; and

WHEREAS, Youth Works is funded by the Lilly Endowment resulting in no fees to employers or youth; and

WHEREAS, Youth Works has placed 892 youths with more than 287 employers and provided more than 2,500 youths with pre-employment counseling; and

WHEREAS, 314 youths have been placed in entry level jobs in 1982 and over 500 have received pre-employment counseling; and

**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 commends the Board of Directors for their work and excellent leadership of Youth Works.

**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. 25, 1983. This proposal appoints William F. Miller to the City-County Administrative Board. Councillor Dowden reported that the Administration Committee recommended passage of this proposal by a vote of 6-0 on January 26, 1983. He moved, seconded by Councillor Miller, for adoption. Proposal No. 25, 1983, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 4, 1983, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1983**

**A COUNCIL RESOLUTION appointing William F. Miller to the City-County Administrative Board.**

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

**SECTION 1.** As a member of the City-County Administrative Board, the Council appoints:

**WILLIAM F. MILLER**

**SECTION 2.** The appointee shall serve for a one (1) year term commencing upon the passage of this resolution and ending December 31, 1984, and at the pleasure of the Council or until a successor is duly appointed.

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

PROPOSAL NO. 51, 1983. Councillor Strader read the proposal honoring the Barrington Health Center and moved for adoption. Councillor Tintera seconded the motion and it carried by unanimous voice vote. Proposal No. 51, 1983, was entitled SPECIAL RESOLUTION NO. 7, 1983, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 7, 1983**

**A SPECIAL RESOLUTION honoring the Barrington Health Center.**

**WHEREAS, Barrington Health Center is a Department of Methodist Hospital established in 1970 to provide health care for low income families; and**

**WHEREAS, the Barrington Health Center has had a 25% increase in New Patient visits in 1982 over the previous year; and**

**WHEREAS, the Barrington Health Center has had a 10.1% increase in physician visits in 1982 over the previous year; and**

**WHEREAS, the Center has had a 14.9% increase in total patient visits in 1982 over the previous year; and**

**WHEREAS, the Center has set up a free transportation system for health center patients to and from Barrington; and**

**WHEREAS, the Barrington Health Center has helped to strengthen Barrington Community Board's involvement in the overall provision of health care to local residents; now, therefore:**

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

**SECTION 1.** The City-County Council congratulates the Barrington Health Center for outstanding community involvement and public service.

**SECTION 2.** The Mayor is invited to join with the Council 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. 52, 1983. Councillor Schneider read the proposal urging the Indiana General Assembly to allow a 3/5 vote of the City-County Council to override a zoning ordinance that has been approved by the Metropolitan Development Commission. Councillor Schnieder moved, seconded by Councillor Clark, for adoption. Proposal No. 52, 1983, was adopted on the following roll call vote; viz:

29 YEAS: Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

Proposal No. 52, 1983, was retitled SPECIAL RESOLUTION NO. 9, 1983, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 9, 1983**

A SPECIAL RESOLUTION urging the Indiana General Assembly to provide that in Marion County, a three-fifths (3/5) rather than a two-thirds (2/3) vote of the twenty-nine (29) members of the City-County Council is required to override a zoning ordinance that has been approved by the Metropolitan Development Commission.

WHEREAS, the State of Indiana mandates that a two-thirds (2/3) vote of the local legislative body is necessary to amend or reject a zoning ordinance of the commission; and

WHEREAS, the City-County Council is the legislative body elected by residents of Indianapolis and Marion County, Indiana; and

WHEREAS, the City-County Council acts as the body of last appeal for constituents affected by such zoning ordinances; and

WHEREAS, the City-County Council has found the current state mandate regarding zoning ordinance appeals an overwhelming burden upon the affected constituents; now, therefore:

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

SECTION 1. The City-County Council of Indianapolis and Marion County, Indiana urges the 1983 Indiana General Assembly to pass and make law Senate Bill 335 amending IC 36-7-4-606 to provide that a three-fifths (3/5) vote of the entire body is required to override a zoning ordinance that has been approved by the Metropolitan Development Commission.

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

PROPOSAL NO. 53, 1983. Councillor Boyd read the proposal repealing Special Resolution No. 62, 1982, concerning military superiority over the Soviet Union. He moved, seconded by Councillor Howard, for adoption. Councillor Coughenour read Special Resolution No. 62, 1982 and she moved to strike Proposal No. 53, 1983, seconded by Councillor Jones. After discussion, the President called for the vote to strike Proposal No. 53, 1982, and the motion to strike carried by the following roll call vote; viz:

21 YEAS: *Brinkman, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Holmes, Jones, McGrath, Miller, Nickell, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, West*

7 NAYS: *Boyd, Campbell, Hawkins, Howard, Journey, Page, Vollmer*

1 NOT VOTING: *Borst*

PROPOSAL NO. 54, 1983. Councillor Dowden read the proposal honoring William H. Binder, Jr., for his service as the Lawrence Township Trustee and he moved for adoption. Councillor Schneider seconded the motion. Proposal No. 54, 1983, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 8, 1983, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 8, 1983**

**A SPECIAL RESOLUTION honoring William H. Binder, Jr. for his service as Lawrence Township Trustee.**

**WHEREAS, the office of trustee of a township in Indiana is one of stewardship and trust; and**

**WHEREAS, William H. Binder, Jr. has served the citizens of Lawrence Township, Marion County as their trustee from 1971 to 1982; and**

**WHEREAS, William H. Binder, Jr. has demonstrated the highest ideals of integrity and fairness in his stewardship of the trust placed in him; 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 commends William H. Binder, Jr. for his years of dedicated leadership and service to his community as trustee of Lawrence Township.**

**SECTION 2. The Mayor is invited to join with the Council 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. 55, 1983. This proposal tentatively approves a lease of the Marion County Jail after improvements by the Indianapolis Building Authority. Councillor Miller moved, seconded by Councillor Howard, to amend the proposal by adding to SECTION 1, the following:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

**I move to amend Proposal No. 55, 1983, Section 1, by adding "... subject to hearing and subsequent consideration and are ordered ..."**

**Councillor Miller**

Council consent was given on the amendment. Councillor Miller moved, seconded by Councillor West, for adoption. Proposal No. 55, 1983, As Amended, was adopted on the following roll call vote; viz:

**25 YEAS: Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, SerVaas, Stewart, Strader, Tintera, Vollmer, West**

**3 NOT VOTING: Clark, Durnil, Schneider**

**1 NOT VOTING: Jones**

Proposal No. 55, 1983, As Amended, was retitled GENERAL RESOLUTION NO. 1, 1983, and reads as follows:

**CITY-COUNTY GENERAL RESOLUTION NO. 1, 1983**

A GENERAL RESOLUTION tentatively approving a lease of the Marion County Jail after improvements are made thereto by the Indianapolis Marion County Building Authority and providing a public hearing on such lease with notice.

WHEREAS, the Indianapolis-Marion County Building Authority has been created under and pursuant to the provisions of Indiana Code, Section 36-9-13-1 et seq. for the purpose of constructing, operating, and leasing to governmental units within the territorial boundaries of Marion County lands and buildings for public or governmental purposes; and

WHEREAS, Marion County desires to have the Authority undertake the construction of a new addition to the Marion County Jail and to make certain renovations to the existing jail for lease to the County as evidenced by a resolution previously adopted by this Council on April 6, 1981; and

WHEREAS, the County has negotiated a proposed lease of such jail site as improved with the Authority, which lease must be the subject of a public hearing by the County before its execution by the parties thereto; and

WHEREAS, there is before this Council a copy of the proposed lease as negotiated with the Authority being entitled "Marion County Jail Lease" together with plans and specifications for such new addition and renovation as prepared by architects employed by the Authority and an estimate of the cost of the building and renovation to be undertaken; now, therefore:

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

SECTION 1. The proposed lease, including the plans specifications and drawings for the said jail project and the cost estimate therefore as submitted at this meeting by the Authority are hereby tentatively approved subject to hearing and subsequent consideration are ordered kept open for inspection by the public by the Clerk of the Council and at the public hearing to be held before this Council.

SECTION 2. The City-County Council hereby instructs the Clerk of the Council on behalf of the County to publish notice for a public hearing before this Council in accordance with the provisions of Indiana Code Section 5-3-1 et seq. and Section 36-9-13-27. Such public hearing for the County shall be held by this Council in the City-County Council Chambers, City-County Building, Indianapolis, Indiana, on February \_\_, 1983, at 7:00 p.m., EST.

SECTION 3. This resolution shall be effective upon adoption and compliance with IC 36-3-4-14.

**INTRODUCTION OF GUESTS**

Councillor Sawyers introduced the City-County Council Interns, including Bill Baker, Peter Brady, and Bill Fecher from Butler University and Wayne Crane and Phil Wolski from I.U.P.U.I. Councillor Jones introduced Dorthy Dillon and Michael Barth, Jr. Councillor Strader introduced Henri Gaither and Bob Wilson.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 34, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating

\$100,000 for the Department of Administration for a study of Fluidized Bed Combustion System to be reimbursed by the Urban Consortium"; and the President referred it to the Administration Committee.

PROPOSAL NO. 35, 1983. Introduced by Councillor Vollmer. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Mark C. Broderick to the Equal Opportunity Commission"; and the President referred it to the Administration Committee.

PROPOSAL NO. 36, 1983. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing changes in the personnel schedule of the Pike Township Trustee"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 37, 1983. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$7,000 for Voter's Registration for consulting fees"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 38, 1983. Introduced by Councillor Holmes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing changes in the personnel schedule of the Wayne Township Trustee"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 39, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing changes in the personnel schedule of the Washington Township Trustee"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 40, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$8,451 for the Juvenile Detention Center to continue an LEAA Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 41, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$34,725 for the Sheriff for the Community Corrections Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 42, 1983. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,327,000 for the Flood Control Division for various bond projects"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 43, 1983. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$82,938 of Community Development Funds for the Flood Control Division for the projects of Bean Creek and Holycross/Westminister"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 44, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on portions of Illinois Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 45, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at South River Road and 79th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 46, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on portions of Pennsylvania Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 47, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls on portions of Parker Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 48, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on portions of West Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 49-50, 1983. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "REZONING ORDINANCES certified from the Metropolitan Development Commission on January 21, 1983"; and the President referred it to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 56, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION authorizing the execution of a lease of the Marion County Jail after improvements by the Indianapolis Building Authority"; and the President referred it to the Public Safety and Criminal Justice Committee.

## SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 17, 1983. This proposal amends the Regional Center Zoning Ordinance of Marion County. President SerVaas pointed out that the Metropolitan Development Committee had a three-hour meeting prior to the Council meeting and the Councillors were not abreast of the latest action taken by the Committee. The President informed the petitioners and remonstrators that each side would have 20 minutes for their presentations. Councillor Durnil reported that the Metropolitan Development Committee met on three different occasions to review this proposal, 82-AO-3, which includes the Meridian Street Corridor. He said that the first meeting was informational and the second was further discussion and public testimony. There were several problems that were addressed in the second meeting and the third meeting was to resolve those problems, however, by resolving some problems others were created. The Committee recommended a "do pass as amended" recommendation. Councillor Durnil moved, seconded by Councillor Sawyers, to adopt Proposal No. 17, 1983, as amended on January 27, 1983. The Council then convened to a Committee of the Whole at 9:24 p.m.

Mr. Sandy Taggart, representing Near North Development Corporation, expressed the Corporation's support of the revised proposal. He reported that the Corridor originally started with a business group and joined with the neighborhood group to help an area that has become badly deteriorated. Mr. Taggart pointed out that there have been approximately 200 involved people in the process and 120 people involved in the development. The process is one that businesses and residents in and near the Corridor consider to be crucial. Mr. Edward Goss, Chairman of the Board for the Near North Development Corporation and President of American States Insurance Company, said that Meridian Street is a "special street" in Indianapolis and it is the "northern gateway into the city", and has served as the model for quality urban development in Indianapolis. Mr. Goss stated perceives there is a great need to develop Meridian Street which speaks to the quality of our city. He said we need to build our strength, i.e. Washington Street Project, Downtown Redevelopment, and Meridian Street. Father Gettlefinger, representing the Catholic Center, stated that they have invested a great deal of money and are using a building that has been vacant for two and one half years located on Meridian Street. He pointed out that he is very concerned about the safety of parish members living nearby. Father Gettlefinger was in hopes of enhancing the beauty of the area by removing billboards, etc. Mr. Michael Barth, Barth Electric Company located at 2407 North Illinois, said he was concerned about the prostitutes, billboards and improving the beauty in the area. Mr. Richard Richmond, who had lived at 2011 North Meridian Street, also testified on behalf of the Meridian Street Corridor. He added that the area has been badly deteriorated since his childhood.

Miss Terry Newsom, resident of 2218 North Illinois and a member of the Meridian Highland Association, was in favor of improving the environment for the businesses and residents and she was not in favor of allowing billboards. Mr. Horst Winkler also testified on behalf of the Corridor and presented architectural drawings and a thorough explanation of his plans for a million dollar plus investment in future development of World Wide Motors, Inc., which is located in the 2300 block of North Meridian Street. Mr. Roger Creegler said that the police protection needs to be increased in this area for the safety of residents and businesses. Speaking on behalf of Naegele Advertising Co. Inc., Miss Carol Collins stated that Naegele has been involved in a million dollar clean up. She said Naegele serves over 700 clients and the reason businesses choose outdoor advertising is cost effectiveness. Miss Collins said that it was not reasonable to ban a business in a certain portion of the city. She was in favor of some type of change in the language to permit outdoor advertising. As currently written, the ordinance would prohibit outdoor advertising. Ms. Deloris Parker, Property Manager for apartments in the area, was in favor of prohibiting billboards. Mr. James Toughy, Counsel for Shell Oil Company, was concerned about the language in the proposal and made reference to landscaping requirements. Mr. Jim Nickels stated that he was in support of the idea and increasing the welfare of the city. The Council then reconvened at 10:07 p.m.

Councillor Durnil moved the following, seconded by Councillor Sawyers, the following:

#### CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 17, 1983, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 17, 1983, Committee Recommendations" dated January 31, 1983.

Councillor Durnil

Councillor Durnil's motion was adopted on the following roll call vote; viz:

28 YEAS: *Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

1 NOT VOTING: *Borst*

After further consideration, Councillor Brinkman called for the question on the main motion. Her motion was defeated by the following roll call vote; viz:

7 YEAS: Brinkman, Cottingham, Howard, Jones, Journey, Sawyers, Tintera  
22 NAYS: Borst, Boyd, Campbell, Clark, Coughenour, Dowden, Durnil, Gilmer,  
Hawkins, Holmes, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider,  
SerVaas, Stewart, Strader, Vollmer, West

Councillor Rhodes moved, seconded by Councillor Jones, the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

**I move to amend Proposal No. 17, 1983, by the following:**

**1. Pages 7-8 rewritten as follows:**

**(d) SIGNS**

**(1) BUSINESS SIGNS**

**Business signs shall comply with the sign regulations of Ordinance 71-AO-4, SIGN REGULATIONS of Marion County, Indiana, and be further modified by the following:**

**(a) Business signs within the North Meridian Street Corridor shall be limited to wall signs, ground signs, pole signs and projecting signs.**

**Pole signs shall not exceed 36 square feet per sign face.**

**Ground signs shall not exceed 36 square feet per sign face.**

**Projecting signs shall not exceed 18 square feet per sign face.**

**(b) All existing business signs and all new business signs within the North Meridian Street Corridor shall be required to meet the provisions of this section and the amortization provisions of Section 1.00A2d of this ordinance.**

**(2) ADVERTISING SIGNS**

**Advertising signs shall be permitted and shall comply with the sign regulations of Ordinance 71-AO-4 SIGN REGULATIONS of Marion County, Indiana.**

**2. Page 8 other amendments to clarify:**

**under (2) (a) insert "BUSINESS" in front of "SIGNS" and change the citation to Section 1.00A2c (2) (d) (1).**

**Under (2) (b) insert "business" before "signs" in the second line.**

**Councillor Rhodes**

Councillor Tintera stated that by 1990 the ordinance could be changed to accommodate the signs. He said the question is, "do you want economic development in Indianapolis or not". After considerable discussion regarding Mr. Rhodes' motion, he called for the question. Councillor Rhodes' amendment carried on the following roll call vote; viz:

15 YEAS: *Borst, Boyd, Campbell, Dowden, Hawkins, Holmes, Journey, Miller, Nickell, Page, Rhodes, Schneider, Stewart, Strader, Vollmer*

14 NAYS: *Brinkman, Clark, Cottingham, Coughenour, Durnil, Gilmer, Howard, Jones, McGrath, Rader, Sawyers, SerVaas, Tintera, West*

Councillor Schneider moved, seconded by Councillor Clark, to strike Proposal No. 17, 1983 with no prejudice. Councillor Schneider then withdrew his motion and restated it as follows: Reject Proposal No. 17, 1983 without prejudice, seconded by Councillor Clark. President SerVaas explained that Proposal No. 17, 1983, As Amended (including Councillor Rhodes' amendment), requires at least twenty affirmative votes in order to be adopted. If the amended Committee report is defeated, the original ordinance sent to the Council by the Plan Commission would then be properly before the Council. After comments, Councillor Schneider withdrew his motion and Councillor Clark withdrew his second. The President called for the vote on Proposal No. 17, 1983, As Amended, and it was adopted on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Campbell, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rhodes, Schneider, Stewart, Strader, Tintera, Vollmer*

9 NAYS: *Brinkman, Clark, Cottingham, Howard, Jones, Rader, Sawyers, SerVaas, West*

Proposal No. 17, 1983, As Amended, was retitled GENERAL ORDINANCE NO. 13, 1983, and reads as follows:

**GENERAL ORDINANCE NO. 13, 1983 82-AO-3**

**Amending the Regional Center Zoning Ordinance of Marion County, Indiana, to include the area known as the North Meridian Street Corridor Area and to revise certain use and development requirements within the area known as the North Meridian Corridor Area.**

Councillor Dowden moved, seconded by Councillor Schneider, for adjournment. The motion failed on the following roll call vote; viz:

12 YEAS: *Boyd, Brinkman, Campbell, Clark, Cottingham, Durnil, Gilmer, Hawkins, Howard, Sawyers, Schneider, Stewart*

16 NAYS: *Borst, Coughenour, Holmes, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Strader, Tintera, Vollmer, West*

1 NOT VOTING: *Dowden*

PROPOSAL NO. 504, 1982. This proposal appropriates \$112,625 for the Legal Division and reduces appropriations for the Human Rights Commission to fund the Office of Equal Opportunity. Councillor Dowden reported that the Administration

Committee recommended passage by a vote of 7-0 on January 26, 1983. The President called for public testimony at 11:25 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Journey, for adoption. Proposal No. 504, 1982, was adopted on the following roll call vote; viz:

22 YEAS: Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Vollmer, West

NO NAYS

7 NOT VOTING: Borst, Boyd, Brinkman, Howard, Jones, Sawyers, Tintera

Proposal No. 504, 1982, was retitled FISCAL ORDINANCE NO. 4, 1983, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 4, 1983**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional One Hundred Twelve Thousand Six Hundred Twenty-five dollars (\$112,625) in the Consolidated County Fund for purposes of the Department of Administration, Legal Division and reducing certain other appropriations for the Department of Administration, Human Rights Commission.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the Office of Equal Opportunity which has been created as a section of the Legal Division.

SECTION 2. The sum of One Hundred Twelve Thousand Six Hundred Twenty-five dollars (\$112,625) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION LEGAL DIVISION	CONSOLIDATED COUNTY FUND
1. Personal Services	\$82,340
2. Supplies	550
3. Other Services & Charges	<u>29,735</u>
Total Increase	\$112,625

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

DEPARTMENT OF ADMINISTRATION HUMAN RIGHTS COMMISSION	CONSOLIDATED COUNTY FUND
1. Personal Services	\$82,340
2. Supplies	550
3. Other Services & Charges	<u>29,735</u>
Total Reduction	\$112,625

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

PROPOSAL NO. 505, 1983. This proposal appropriates \$3,700,000 for the Division of Employment and Training due to the recently approved Fiscal Year 1983 Federal Budget for CETA. Councillor Dowden reported that the Administration Committee recommended to strike this proposal by a vote of 6-0 on January 26, 1983. He moved, seconded by Councillor Tintera, to strike Proposal No. 505, 1983. Council consent was given.

PROPOSAL NO 506, 1983. This proposal appropriates \$1,734,180 for the Division of Employment and Training and reducing appropriations for the Division of Community Services to be funded through the Division of Employment and Training. Councillor Dowden reported that the Administration Committee recommended to strike this proposal by a vote of 6-0 on January 26, 1983. He moved, seconded by Councillor Tintera, to strike Proposal No. 506, 1983. Council consent was given.

PROPOSAL NO. 523, 1982. This proposal appropriates \$106,121 for the Marion County Sheriff to replace equipment destroyed by a recent fire. Councillor West reported that the Public Safety and Criminal Justice Committee recommended to amend and pass this proposal by a vote of 5-0 on December 16, 1982 and the Council postponed action at the January 10, 1983 meeting in order that the proposal could be readvertised. Councillor West moved, seconded by Councillor Tintera, the following:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

**I move to amend Proposal No. 523, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 523, 1982, Committee Recommendations".**

**Councillor West**

Council consent was given on the amendment. The President called for public testimony at 11:27 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Tintera, for adoption. Proposal No. 523, 1982, As Amended, was adopted on the following roll call vote; viz:

*24 YEAS: Borst, Boyd, Campbell, Clark, Cottingham, Dowden, Gilmer, Hawkins, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

**NO NAYS**

*5 NOT VOTING: Brinkman, Coughenour, Durnil, Holmes, Howard*

Proposal No. 523, 1982, As Amended, was retitled **FISCAL ORDINANCE NO. 5, 1983**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional One Hundred Six Thousand One Hundred Twenty-one dollars (\$106,121) in the County General Fund for purposes of the Marion County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (a)(7) of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to replace equipment destroyed by a recent fire and to repair fire damaged areas which will be reimbursed by insurance claims.

SECTION 2. The sum of One Hundred Six Thousand One Hundred Twenty-one dollars (\$106,121) 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:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
2. Supplies	\$20,000
3. Other Services & Charges	42,000
4. Capital Outlay	44,121
Total Increase	<u>\$106,121</u>

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

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	\$106,121
Total Reduction	<u>\$106,121</u>

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

PROPOSAL NO. 3, 1983. This proposal amends the Code by reorganizing the Department of Metropolitan Development. Councillor Durnil explained that Proposal No. 3, 1983, is a companion ordinance to Proposal Nos. 4 and 5, 1983. Councillor Durnil reported that the Metropolitan Development Committee recommended passage by a vote of 6-0 on January 19, 1983. He moved, seconded by Councillor Tintera for adoption. Proposal No. 3, 1983, was adopted on the following roll call, vote; viz:

- 21 YEAS: Campbell, Cottingham, Coughenour, Durnil, Gilmer, Hawkins, Holmes, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer
- 4 NAYS: Boyd, Clark, Dowden, West
- 4 NOT VOTING: Borst, Brinkman, Howard, Rhodes

Proposal No. 3, 1983, was retitled GENERAL ORDINANCE NO. 14, 1983, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 14, 1983**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by establishing a Department of Metropolitan Development.

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

SECTION 1. Division 4 of Article V of Chapter 2 of the "Code of Indianapolis and Marion County, Indiana", is hereby repealed and replaced as follows:

**DIVISION 4. DEPARTMENT OF METROPOLITAN DEVELOPMENT**

Sec. 2-226. Department created.

There is hereby created a Department of Metropolitan Development.

Sec. 2-227. Director; duties.

(a) The chief administrative officer of the Department of Metropolitan Development is a Director. The Director is appointed by the Mayor, with the approval of the City-County Council as required by I.C. 36-3-5-2, for a term of one year and serves until his successor is appointed and qualified. The Director serves at the pleasure of the Mayor.

(b) The Director of the Department of Metropolitan Development shall have the following powers and duties with respect to the entire Department, except the Division of Housing:

- (1) To prepare and submit a budget as required by IC 36-3-6-4 (b)(1);
- (2) To establish operational procedures;
- (3) To approve the hiring and dismissal of personnel subject to limitations prescribed by law and rules adopted by the Mayor;
- (4) To delegate to personnel of the Department authority to act on his behalf;
- (5) To assign tasks to employees of the Department and supervise the carrying out of those responsibilities;
- (6) To act as a hearing authority relative to unsafe buildings, or appoint a person to act as a hearing authority, as provided in IC 36-7-9;
- (7) To approve and execute legal instruments subject to limitations prescribed by law; and
- (8) To approve or disapprove disbursement of funds subject to limitations prescribed by law.

(c) The Director of the Department of Metropolitan Development shall have the following powers and duties with respect to the entire department:

- (1) To receive pertinent information, engage in departmental planning and establish policies and goals for the department subject to limitations prescribed by law, direction provided by the Mayor and policies and goals properly established by the Metropolitan Development Commission and the Commissioners of Housing of the Indianapolis Housing Authority established by IC 36-7-18;
  - (2) To coordinate the activities of divisions within the department;
  - (3) To assign to a division in the department any power or duty which the law specifies is to be exercised by the Division of Planning and Zoning or the Metropolitan Planning Department, in instances where this division does not indicate a responsible division or agency;
  - (4) To appoint an Administrator to be head of each division of the department, subject to the approval of the Mayor, except the office of the Director (which shall not have an Administrator) and the Division of Housing. Each administrator serves at the pleasure of the Mayor.
- (d) In addition, the director shall have the following powers and duties:

- (1) To appoint the Administrator of the Division of Housing, after consulting with and securing agreement from the Commissioners of Housing of the Indianapolis Housing Authority, subject to the approval of the Mayor. The Administrator serves at the pleasure of the Mayor;
- (2) To provide advice and assistance to the Historic Preservation Commission, as established by IC 36-7-11.1, and the Administrator of its staff in coordinating the programs and policies of the Department with historic preservation programs and policies, to review the work program of the Commission as provided by IC 36-7-11.1-4 and to provide advice in the appointment of the Administrator as provided in IC 36-7-11.1-4;

(e) The director shall also have all other powers and duties conferred by law or assigned by the Mayor.

**Sec. 2-228. Division, duties.**

The Department of Metropolitan Development shall be composed of the following divisions:

(a) **Division of Economic and Housing Development.**

- (1) The Division of Economic and Housing Development shall be responsible for economic development and housing development.
- (2) Powers and duties of this Division include:
  - (i) Powers and duties conferred on the Department of Metropolitan Development by I.C. 36-7-15.1;
  - (ii) Powers and duties granted to the Division of Economic and Housing Development under Article III of Chapter 24 of the "Code of Indianapolis and Marion County, Indiana"; and
  - (iii) Powers and duties granted under I.C. 36-7-18-20 (a) (3), (4) and (5);
- (3) This Division shall also have other powers and duties conferred by law or assigned by the Mayor.

(b) **Division of Development Services.**

- (1) The Division of Development Services shall be responsible for processing requests for permission to develop real estate based on compliance with zoning, building and other standards and for the enforcement of laws and ordinances which regulate the development, maintenance and use of real estate.
- (2) Powers and duties of this Division include:
  - (i) Powers and duties conferred on the enforcement authority by I.C. 36-7-9;
  - (ii) Powers and duties conferred on the implementing agency under I.C. 36-7-4 (including actions which are the responsibility of the Planning Department, the Division of Planning and Zoning and the staff), except for technical activities supporting preparation of the comprehensive plan described in the 500 series);
  - (iii) Powers and duties which the Division of Code Enforcement is authorized or required to carry out under the "Code of Indianapolis and Marion County, Indiana", including but not limited to powers and duties found in chapters 14 and 17;
  - (iv) Powers and duties which the Division of Buildings is authorized or required to carry out under the "Code of Indianapolis and Marion County, Indiana", including but not limited to powers and duties found in Chapters 8, 10 1/2, 19 and 27.
  - (v) License persons and business organizations engaged in construction activity, issue building permits, make building inspections and take other appropriate actions for the purpose of securing safe construction and assuring proper maintenance of existing structures;
  - (vi) Enforce building regulations established by the Administrative Building Council of the State of Indiana;

- (vii) Initiate a review of the issuance of a Certificate of Appropriateness in accordance with I.C. 36-7-11.1-9 (f);
  - (viii) Powers and duties conferred on the Metropolitan Planning Department under Section 7-2 of the "Code of Indianapolis and Marion County, Indiana"; and
  - (ix) Enforce provisions of state law or city ordinance relating to the development, condition, maintenance or use of real estate, as required by ordinance or assigned by the Mayor; and
  - (x) Receive or process applications or documents for other departments, divisions or agencies of local government relative to the development or use of real estate when an agreement for such service is made;
- (3) The Division shall also have other powers and duties conferred by law or assigned by the Mayor.

(c) Division of Planning.

- (1) The Division of Planning is responsible for planning activities throughout Marion County that will secure orderly growth, encourage effective use of municipal facilities and resources and provide a desirable quality of life for its citizens.
- (2) Powers and duties of the Division include:
- (i) Accomplish land use and housing planning, economic and fiscal planning (including the preparation of a capital expenditure program), transportation planning, environment and energy planning, and urban design and planning for projects, neighborhoods and open space and leisure systems;
  - (ii) Accomplish technical work in support of preparation of a comprehensive plan described in the 500 series of I.C. 36-7-4;
  - (iii) Accomplish technical work in support of preparation of a thoroughfare plan as described in I.C. 36-7-4-406 and I.C. 36-7-5-3 and 6; and
  - (iv) Powers and duties granted under I.C. 36-7-18-20 (a) (1) and (2).
- (3) The Division shall also have other powers and duties conferred by law or assigned by the Mayor.

(d) Division of Housing.

The Indianapolis Housing Authority, a municipal corporation separate from the City of Indianapolis which is created and given powers and duties under I.C. 36-7-18, is the Division of Housing. The Administrator of the Division of Housing is the executive director of the Housing Authority and may select, direct and fix compensation of the employees of the Housing Authority as provided by I.C. 36-7-18-10.

(e) Office of the Director.

- (1) The Office of the Director is responsible for providing administrative support for the Director and for accomplishing programs and activities of the Department which can be more efficiently or effectively accomplished in a central division.
- (2) Powers and duties of the Office of the director include:
- (i) Designation and authorization to receive and distribute all funds received by the City pursuant to an Act of the United States Congress entitled the "Housing and Community Development Act of 1977" (Public Law 94-128), as amended. The granting of this power shall not limit the power of the Mayor to execute agreements with the United States government to receive these funds.
- (3) This Division shall also have other powers and duties conferred by law or assigned by the Mayor.

Sec. 2-229. Metropolitan Development Commission.

(a) The Metropolitan Development Commission is established in the Department of Metropolitan Development as authorized by I.C. 36-7-4-202.

(b) The Metropolitan Development Commission shall have the following powers and duties with respect to the entire Department except the Division of Housing:

- (1) Approve the award and amendment of all contracts for lease or purchase of capital equipment.
- (2) Approve the employment of all persons engaged by contract to render professional or consulting services.
- (3) Approve all acquisition of interest in real estate.
- (4) Approve all contracts for public work as defined in I.C. 36-1-12.

(c) The Metropolitan Development Commission shall have the following powers and duties with respect to the entire department:

- (1) The powers and duties granted to the Metropolitan Development Commission by I.C. 36-7-4.
- (2) The powers and duties granted to the Metropolitan Development Commission by I.C. 36-7-15.1.
- (3) Approve the location of and general development plans for real state proposed to be acquired by the Indianapolis Housing Authority (Division of Housing) as a condition of its acquisition by the Housing Authority.
- (4) All other powers and duties granted by statute or ordinance.

(d) Notwithstanding what is stated above in subsections (b) or (c), the Metropolitan Development Commission is not:

- (1) Authorized to approve the receipt or distribution of community development grant funds by the Office of the Director.
- (2) Required to approve or execute the award or amendment of any contract let by the Department for public work or for the lease or purchase of capital equipment when the contract is not required to be bid under state law.

**Sec. 2-230. City market.**

(a) For the purposes of this chapter, the following terms shall have the meanings ascribed to them:

- (1) Market, marketplace, city market or public city market shall mean the Indianapolis City Market, a place wherein spaces are leased for a valuable consideration for the purpose of selling and displaying for sale to the general public any items or products approved by the metropolitan development commission or its designee.
- (2) Marketer shall mean any person who brings anything to sell and sells it from a space or who operates a space in the market.
- (3) Space shall mean any open floor or ground area marked off or designated in any of the main open areas of the market for the use of a marketer in the sale of his products, in common with similar areas and not separated by partitions or walls on more than three (3) sides of the space. Space shall also include any floor space set off by partitions or walls on all four (4) sides thereof, or which may be so designated when so bounded upon at least three (3) sides, and where the whole area is used for sales.

(b) The legal description of the city market is as follows:

South half of Square 43, Smith's Heirs Subdivision, Plat Book 8, Page 193.

(c) There is hereby created a special fund to be designated "city market fund", in the division of finance, under the controller.

- (1) The special fund created in subsection (c) shall be a continuing fund, with all balances remaining therein at the end of each calendar year and no such balances shall lapse into the city general fund or ever be diverted, directly or indirectly, in any manner to any other uses than for the city market so long as the city market continues. The anticipated needs, uses and expenditures of the funds at any time in the market fund shall be set up by the department of metropolitan development in its annual budget, along with a levy of taxes if needed to augment the funds each year; later additions to such special funds may be duly appropriated during each year, as approved by the city-county council, and as provided by law.
- (2) The metropolitan development commission shall maintain the coin-operated parking meters located in the parking area on the southeast corner of the city market square as the commission shall deem appropriate. Such parking area

shall be for the exclusive benefit and uses of the city market. The coin-operated meters shall provide for one-hour parking with a minimum parking meter fee of twenty-five cents (\$0.25) per one-half hour, from 6:00 a.m. to 7:00 p.m., inclusive, except Sundays and holidays. The metropolitan development commission shall be responsible for the enforcement of this provision, and as such, all revenues generated from the collection of monies out of the meters and from the dispositions of violations of this provision shall be deposited in the "city market fund".

(d) The metropolitan development commission may adopt and enforce any relevant specific rules and regulations for the proper operation of city market and its various uses as circumstances may from time to time require, including all matters concerning sanitation and the public health, safety, order and welfare. The director of the department of metropolitan development shall enforce the rules and regulations for the proper operation of the market adopted by the metropolitan development commission.

(e) Before leasing any space in the market, the metropolitan development commission or its designee shall commission a qualified real estate appraiser to make an appraisal of the rental value of such space in the city market, which rental value shall be determined, as near as possible, by the location and size of the space or such other factors as the metropolitan development commission or its designee may determine.

(f) Upon approving the rental value appraisal submitted pursuant to this article, the metropolitan development commission or its designee may enter into contracts or leases with applicants for such space on the basis of such appraisal, rent payments to be made at such time as fixed by the metropolitan development commission or its designee.

(g) All powers, duties and responsibilities contained in subsections (e) and (f) of this section may be delegated by the metropolitan development commission through: professional services contracts for city market management; lease agreements for operation, management and/or development of the city market; a city market board, the members and organization of which would be created by ordinance; or such other means as may be determined to be of benefit to the public by the metropolitan development commission.

Sec. 2-231 - 2-237. Reserved.

SECTION 2. Chapter 10 of the "Code of Indianapolis and Marion County, Indiana", is hereby repealed.

SECTION 3. Those rules and regulations which govern the operation of the city market as adopted by resolution of the board of public works (board) shall remain in effect until such time as the metropolitan development commission adopts such rules and regulations to replace those adopted by the board; upon the adoption of such rules and regulations by the metropolitan development commission, the rules and regulations adopted by the board shall become null and void.

SECTION 4. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted. (b) An offense committed before the effective date of this ordinance under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. 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 provision 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 6. This ordinance shall be in effect from and after its passage by the council and compliance with IC 36-3-4-14.

PROPOSAL NO. 4, 1983. This proposal appropriates \$394,206 in the City Market Fund to transfer the City Market Division from the Department of Public Works to the Department of Metropolitan Development. Councillor Durnil reported that Proposal No. 4, 1983, approves the funding mechanism for transferring of the City Market Fund. The Metropolitan Development and Public Works Joint Committee recommended passage by a vote of 13-0 on January 19, 1983. The President called for public testimony at 11:34 p.m. There being no one present to testify, Councillor Durnil moved, seconded by Councillor Coughenour, for adoption. Proposal No. 4, 1983, was adopted on the following roll call vote; viz:

24 YEAS: *Boyd, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

1 NAY: *Clark*

4 NOT VOTING: *Borst, Brinkman, Howard, Rhodes*

Proposal No. 4, 1983, was retitled FISCAL ORDINANCE NO. 6, 1983, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 6, 1983**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Three Hundred Ninety-four Thousand Two Hundred Six dollars (\$394,206) in the City Market Fund for purposes of the Department of Metropolitan Development, City Market Division and reducing certain other appropriations for the Department of Public Works, City Market Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring the City Market from the Department of Public Works to the Department of Metropolitan Development.

SECTION 2. The sum of Three Hundred Ninety-four Thousand Two Hundred Six dollars (\$394,206) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The followin gadditional appropriations are hereby approved:

**DEPT. OF METROPOLITAN DEV.**

City Market Division	City Market Fund
1. Personal Services	\$115,582
2. Supplies	14,775
3. Other Services & Charges	<u>263,849</u>
Total Increase	<u>\$394,206</u>

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

**DEPARTMENT OF PUBLIC WORKS**

City Market Division

City Market Fund

1. Personal Services

\$115,582

2. Supplies

14,775

3. Other Services & Charges

263,849

Total Reduction

\$394,206

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

**PROPOSAL NO. 5, 1983.** This proposal appropriates \$2,927,629 for the reorganization of the Department of Metropolitan Development. Councillor Durnil reported that the Metropolitan Development Committee recommended passage by a vote of 6-0 on January 19, 1983. The President called for public testimony at 11:37 p.m. There being no one present to testify, Councillor Durnil moved, seconded by Councillor Sawyers, for adoption. Proposal No. 5, 1983, was adopted on the following roll call vote; viz:

**23 YEAS:** Boyd, Campbell, Cottingham, Coughenour, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

**2 NAYS:** Clark, Dowden

**4 NOT VOTING:** Borst, Brinkman, Rader, Rhodes

Proposal No. 5, 1983, was retitled **FISCAL ORDINANCE NO. 7, 1983**, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 7, 1983**

A **FISCAL ORDINANCE** amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Two Million Nine Hundred Twenty-seven Thousand Six Hundred Twenty-nine dollars (\$2,927,629) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Development Services Division and reducing certain other appropriations for various divisions in the Department of Metropolitan Development.

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds within the Department of Metropolitan Development for organizational changes in various divisions.

**SECTION 2.** The sum of Two Million Nine Hundred Twenty-seven Thousand Six Hundred Twenty-nine dollars (\$2,927,629) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

**SECTION 3.** The following additional appropriations are hereby approved:

**DEPT. OF METROPOLITAN DEV.**

**Development Services Division**

	<b>Consolidated County Fund</b>
1. Personal Services	\$1,792,814
2. Supplies	25,834
3. Other Services & Charges	<u>1,088,981</u>
4. Capital Outlay	20,000
Total Increase	<b>\$2,927,629</b>

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

**DEPT. OF METROPOLITAN DEV.**

**Buildings Division**

	<b>Consolidated County Fund</b>
1. Personal Services	\$828,070
2. Supplies	6,500
3. Other Services & Charges	450,400
4. Capital Outlay	<u>14,000</u>
	<b>\$1,298,970</b>

**Code Enforcement Division**

1. Personal Services	\$613,854
2. Supplies	15,700
3. Other Services & Charges	534,020
4. Capital Outlay	<u>6,000</u>
	<b>\$1,169,574</b>

**Planning and Zoning Division**

1. Personal Services	\$299,409
2. Supplies	3,134
3. Other Services & Charges	<u>93,461</u>
	<b>\$396,004</b>

**Office of the Director**

1. Personal Services	51,481
2. Supplies	500
3. Other Services & Charges	<u>11,100</u>
	<b>\$63,081</b>

**Total Reduction** **\$2,927,629**

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

PROPOSAL NO. 6, 1983. This proposal appropriates \$97,423 for the Sheriff for salary increases for Merit Officers. Councillor West reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 4-0 on January 13, 1983. The President called for public testimony at 11:38 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Campbell, for adoption. Proposal No. 6, 1983, was adopted on the following roll call vote; viz:

21 YEAS: Boyd, Campbell, Cottingham, Coughenour, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Page, Rader, Sawyers, SerVaas, Stewart, Strader, Vollmer, West

NO NAYS

8 NOT VOTING: Borst, Brinkman, Clark, Dowden, Nickell, Rhodes, Schneider, Tintera

Proposal No. 6, 1983, was retitled FISCAL ORDINANCE NO. 8, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Ninety-seven Thousand Four Hundred Twenty-three dollars (\$97,423) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for the Marion County Auditor and the Marion County Sheriff.

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 2.03 (a)(7) of the City-County Annual Budget for 1983, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the salary increases for merit officers and adjusting the personnel schedule.

SECTION 2. The sum of Ninety-seven Thousand Four Hundred Twenty-three dollars (\$97,423) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
1. Personal Services	<u>\$97,423</u>
Total Increase	\$97,423

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

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
3. Other Services & Charges	\$45,000

MARION COUNTY AUDITOR	
1. Personal Services	<u>\$52,423</u>
Total Reduction	\$97,423

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts underlined as follows:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Sheriff	1	20,750	20,750
Executive Officer	1	31,519	31,519
Deputy Chief	5	29,785	148,925
Major	5	25,535	127,675
Captain	9	23,645	212,805
Lieutenant	29	22,069	640,001
Sergeant	98	20,966	2,054,668
Corporal	51	20,099	1,025,049
Deputy 3rd Year	261	19,628	5,115,276
Deputy 2nd Year	12	18,053	212,825
Deputy 1st Year	0	14,859	0

**CIVILIAN EMPLOYEES:**

First Deputy	1	29,294	29,294
Admin. Assistant	1	11,189	11,189
Major (Spec. Deputy)	1	19,866	19,866
Captain (Spec. Deputy)	1	17,754	17,754
Lieutenant (Spec. Deputy)	2	16,307	32,614
Sergeant (Spec. Deputy)	9	14,395	129,555
Deputy (Spec. Deputy)	54	12,801	691,254
Executive Secretary	2	16,000	27,268
Division Secretary	5	10,074	50,370
Clerk/Typist	35	13,012	329,151
Mechanic	9	17,754	146,283
Attendant	7	10,290	72,030
Chaplain	2	17,000	33,074
Crime Watch Coord.	1	15,345	15,345

**MISCELLANEOUS SALARIES:**

Clothing Allowance		300	36,000
Longevity		1,140	285,060
Temporary Salaries			45,685
Overtime & Shift Differential			242,981
Professional Salaries			59,977
Educational Bonus			107,750
Merit Board Per Diem			1,050
Reserve Salaries			700
Vacancy Factor			(297,123) (200,000)

**OTHER EMPLOYEE BENEFITS:**

M.C.L.E. Pension			2,245,663
Health Insurance			460,680
Life Insurance			<u>39,052</u>

<b>TOTAL</b>	<b>602</b>	<b>14,471,745</b>	<b><u>14,519,138</u></b>
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SECTION 6. 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. 610, 1981. This proposal amends the Code by adding a new Chapter 11 1/2, Emergency Medical Services. The Public Safety and Criminal Justice Committee recommended to strike this proposal by a vote of 5-0 on January 13, 1983. Councillor West moved to strike Proposal No. 610, 1982, seconded by Councillor Rhodes. The proposal was stricken by consent.

PROPOSAL NO. 6, 1983. This proposal establishes a General Improvement Fund for the Department of Public Works. Councillor Coughenour reported that the Public Works Committee recommended to strike this proposal by a vote of 5-0 on January 17, 1983. She moved, seconded by Councillor Vollmer, to strike Proposal No. 6, 1983, and consent was given.

PROPOSAL NO. 89, 1982. This proposal amends the Code outlining the powers of the Vice President. Councillor Cottingham reported that the Rules and Policy

Committee recommended to strike the proposal on January 24, 1983, by a vote of 4-0. He moved, seconded by Councillor Miller, to strike Proposal No. 89, 1982, and consent was given.

**PROPOSAL NO. 134, 1982.** This proposal requests the General Assembly to consider legislation to financially assist local units of government. The Rules and Policy Committee recommended to strike the proposal on January 24, 1983, by a vote of 4-0. Councillor Cottingham moved, seconded by Councillor Miller, to strike Proposal No. 134, 1982, and consent was given.

**PROPOSAL NO. 298, 1982.** This proposal amends the Code fixing an amount to be charged owners of non-local governmental property benefiting from police protection. Councillor West reported that the Public Safety and Criminal Justice Committee recommended to strike the proposal on January 13, 1983, by a vote of 5-0. He moved, seconded by Councillor Borst, to strike Proposal No. 298, 1982, and consent was given.

**PROPOSAL NO. 299, 1982.** This proposal amends the Code fixing the amount to be charged owners of non-local governmental property benefiting from fire protection. Councillor West reported that the Public Safety and Criminal Justice Committee recommended to strike the proposal on January 13, 1983, by a vote of 5-0. He moved, seconded by Councillor Borst, to strike Proposal No. 299, 1982, and consent was given.

**PROPOSAL NO. 337, 1982.** This proposal urges the opposition of "Local Measured Service". Councillor Dowden reported that the Administration Committee recommended to strike the proposal on January 26, 1983, by a vote of 7-0. He moved, seconded by Councillor McGrath, to strike Proposal No. 337, 1982, and consent was given.

**PROPOSAL NO. 394, 1982.** This proposal authorizes proceedings with respect to proposed economic development bonds for EFB Development Company in an amount not to exceed \$2,900,000. Councillor Tintera reported that the Economic Development Committee recommended to strike this proposal by a vote of 3-0 on January 28, 1983. He moved, seconded by Councillor Brinkman, to strike Proposal No. 394, 1982, and Council consent was given.

**PROPOSAL NO. 400, 1982.** This proposal concerns the direction and control of the Health and Hospital Corporation. Councillor Clark reported that the Municipal Corporations Committee recommended to amend and pass the proposal by a vote of 4-0 on January 13, 1983. Councillor Coughenour moved, seconded by Councillor Dowden, the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 400, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 400, 1982, Committee Recommendations".

**Councillor Coughenour**

Council consent was given. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposal No. 400, 1982, As Amended, was adopted on the following roll call vote; viz:

*23 YEAS: Borst, Campbell, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Sawyers, Schneider, Stewart, Strader, Tintera, Vollmer, West*

*3 NAYS: Clark, Cottingham, SerVaas*

*3 NOT VOTING: Boyd, Brinkman, Rhodes*

Proposal No. 400, 1982, As Amended, was retitled SPECIAL RESOLUTION NO. 10, 1983, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTUION NO. 10, 1983**

**A SPECIAL RESOLUTION concerning direction and control of the Health and Hospital Corporation.**

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

**SECTION 1.** The Health and Hospital Corporation is requested to study other alternatives for operation of Wishard Hospital. Other proposals should be requested. These proposals should be discussed by the Municipal Corporations Committee along with the proposal by Indiana University by March 30, 1983.

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

**PROPOSAL NO. 420, 1982.** This proposal amends the Code by creating a human services division. Councillor Dowden reported that the Administration Committee recommended to strike the proposal on January 26, 1983, by a vote of 6-0. He moved, seconded by Councillor Rhodes, to strike Proposal No. 420, 1982, and consent was given.

**PROPOSAL No. 470, 1982.** This proposal restricts the keeping of poultry, fowl and rabbits. Councillor Sawyers reported that the Community Affairs Committee recommended to strike the proposal on January 20, 1983, by a vote of 6-0. She moved, seconded by Councillor Rhodes, to strike Proposal No. 470, 1982, and Council consent was given.

PROPOSAL NO. 507, 1982. This proposal approves an amended schedule of rates and charges and a line extension policy for Indianapolis Cablevision Company. Councillor Coughenour moved, seconded by Councillor Holmes, to postpone Proposal No. 507, 1982, indefinitely. The motion carried on the following roll call vote; viz:

15 YEAS: *Brinkman, Campbell, Coughenour, Dowden, Durnil, Hawkins, Holmes, Howard, McGrath, Nickell, Rader, Schneider, SerVaas, Stewart, West*

10 NAYS: *Borst, Clark, Gilmer, Jones, Journey, Miller, Page, Sawyers, Strader, Tintera*

4 NOT VOTING: *Boyd, Cottingham, Rhodes, Vollmer*

PROPOSAL NO. 510, 1982. This proposal authorizes changes in the personnel schedule of the Warren Township Trustee. Councillor Brinkman reported that the County and Townships Committee recommended to amend and pass this proposal by a vote of 6-0 on January 18, 1983. She moved, seconded by Councillor Jones, the following:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

**I move to amend Proposal No. 510, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 510, 1982, Committee Recommendations".**

**Councillor Brinkman**

Council consent was given. Councillor Brinkman moved, seconded by Councillor Jones, for adoption. Proposal No. 510, 1982, As Amended, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

2 NOT VOTING: *Dowden, Sawyers*

Proposal No. 510, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 15, 1983, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 15, 1983**

**A GENERAL ORDINANCE amending the City-County General Ordinance No. 61, 1982, authorizing changes in the personnel schedule of the Warren Township Trustee.**

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

**SECTION 1.** Section 8 of City-County General Ordinance No. 61, 1982, be and is hereby amended by deleting the crosshatched portions and adding the underlined amounts as follows:

POSITION	NUMBER OF PERSONNEL	ANNUAL RATE OF COMPENSATION	TOTAL COMPENSATION
Township Trustee	1	12,100	12,100
Township Admin. Asst.	1	13,738	13,738
Asst. Township Clerk	<del>1</del> <u>1</u>	<del>11,169</del> <u>11,169</u>	<del>11,169</del> <u>11,169</u>
Advisory Board Members	3	698	2,094
Clerk for Small Claims Court	1	13,738	13,738
Secretaries for Small Claims Court	4	11,169	44,676
Small Claims Court Judge	1	18,360	18,360
<b>FIRE DEPARTMENT PERSONNEL</b>			
First Class Firefighter	27	20,700	558,900
Clerk Fire Prev. Office	1	12,845	12,845
Secretary-Clerk for Fire Prevention Office	1	11,169	11,169
Secretary-Bookkeeper Pension Fund (part-time)	1	500	500
<b>POOR RELIEF PERSONNEL</b>			
Investigator	<del>1</del> <u>2</u>	11,169	<del>11,169</del> <u>22,338</u>
<b>TOTAL</b>	<del>14</del> <u>44</u>		<del>770,458</del> <u>721,627</u>

**SECTION 2.** This ordinance shall be in full force and effect retroactive to January 1, 1983 after its adoption and compliance with IC 36-3-4-14.

**PROPOSAL NO. 516, 1982.** This proposal authorizes the issuance of \$2,300,000 Economic Development First Mortgage Revenue Bonds, Series A for Geiger & Peters, Inc. Councillor Tintera moved to postpone Proposal No. 516, 1982, until February 14, 1983, seconded by Councillor Brinkman. Council consent was given.

**PROPOSAL NO. 532, 1982.** This proposal amends the Code by adding a new Section 29-106, Left turn control devices. Councillor Schneider reported that the Transportation Committee recommended to strike Proposal No. 532, 1982, by a vote of 7-0. He moved, seconded by Councillor Nickell, to strike the proposal. Council consent was given.

**PROPOSAL NO. 1, 1983.** This proposal establishes three separate panels within the license review board. Councillor Dowden moved to postpone action until April 11, 1983, seconded by Councillor McGrath. Consent was given.

**PROPOSAL NO. 2, 1983.** This proposal appoints Jean L. Wojtowicz as a member of the Marion County Building Authority. Due to a conflict in the minimum age

requirement, Councillor McGrath moved, seconded by Councillor Howard, to strike the proposal. Council consent was given.

PROPOSAL NO. 7, 1983. This proposal authorizes changes in the personnel compensation schedule of the Marion County Superior Court, Juvenile Division. The Public Safety and Criminal Justice Committee recommended passage by a vote of 5-0 on January 13, 1983. He moved, seconded by Councillor Howard, for adoption. Proposal No. 7, 1983, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

1 NAY: *Jones*

1 NOT VOTING: *Sawyers*

Proposal No. 7, 1983, was retitled FISCAL ORDINANCE NO. 9, 1983, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 9, 1983**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Superior Court - Juvenile Division.

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

SECTION 1. Section 2.03 (b) of City-County Fiscal Ordinance No. 65, 1982, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

**(b)(4) JUVENILE DIVISION**

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	15,708	15,708
Administrators	2	33,607	61,620
Asst. Administrators	3	25,485	64,863
Managers	8	23,483	160,724
Asst. Managers	3	14,453	40,101
Secretaries	4	12,578	42,941
Clerk Typists	20	11,601	168,970
Full-time Referee	2	30,714	61,428
Part-time Referees	2	15,409	30,922
Court Reporters	6	19,880	131,447
Bailiffs	8	14,675	100,599
Probation	64	21,524	890,486
Professional Staff	4	26,764	95,593
Maintenance Staff	8	11,914	<del>70,098</del> 62,170
Jury Per Diem			8,160
Temporary			12,852
Vacancy Factor			<del>(95,180)</del> (97,252)
<b>TOTAL</b>	<b>135</b>		<b>1,851,332</b>

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

[Clerk's Note: Proposal Nos. 9, 10, and 11, 1983, were all discussed and voted on together by consent of the Council.]

PROPOSAL NO. 9, 1983. This proposal changes the intersection control at Park Avenue and 22nd Street. PROPOSAL NO. 10, 1983. This proposal changes speed limit controls on Ritter Avenue. PROPOSAL NO. 11, 1983. This proposal establishes a parking meter zone on Chesapeake Street. The Transportation Committee recommended passage for all three proposals by a vote of 7-0 on January 19, 1983. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposals No. 9, 10, and 11, 1983, were adopted on the following roll call vote; viz:

28 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

1 NOT VOTING: *Sawyers*

Proposal Nos. 9, 10, and 11, 1983, were retitled GENERAL ORDINANCE NOS. 16-18, 1983, respectively, and read as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 16, 1983**

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>
25 Pg. 23	N. Park Av. & E. 22nd St.	None	SIGNAL

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>
25 Pg. 23	Park Av. & 22nd St.	22nd St.	STOP

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

**CITY-COUNTY GENERAL ORDINANCE NO. 17, 1983**

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

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

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

Ritter Avenue, from Sixteenth Street to Massachusetts Avenue, 35 MPH

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

**CITY-COUNTY GENERAL ORDINANCE NO. 18, 1983**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones and Section 29-283, Parking meter zones designated.

**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 addition of the following, to wit:

Chesapeake Street, on the south side, from a point fifteen feet east of McCrea Street to a point forty feet east of McCrea Street.

**SECTION 2.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

**Two Hours**

Chesapeake Street, on the south side, from Meridian Street to a point 167 feet west of Meridian Street.

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

PROPOSAL NO. 49-50, 1983. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 21, 1983". Council consent was given on the proposals. Proposal No. 49-50, 1983, were retitled REZONING ORDINANCE NOS. 15-16, 1983, and read as follows:

**REZONING ORDINANCE NO. 15, 1983 82-Z-111 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
6140 SOUTH MERIDIAN STREET, INDIANAPOLIS**

Janet A. Craig, by James W. Payne, requests rezoning of 15.00 acres, being in D-2 district, to D-6 II classification, to provide for residential cluster homes.

**REZONING ORDINANCE NO. 16, 1983 82-Z-116 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 14  
195 NORTH SHORTRIDGE ROAD, INDIANAPOLIS**

John H. & Beverly R. Thompson, 8419 E. 13th Street, request rezoning of 0.08 acre, being in D-3 district, to C-3 classification, to provide for retail sales.

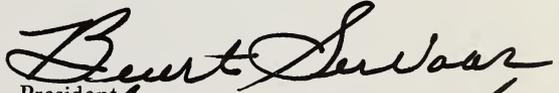
**ANNOUNCEMENTS AND ADJOURNMENT**

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 12:14 a.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, Indiana, held at its Regular Meeting on the 31st of January, 1983.

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

ATTEST:

  
President  
  
Clerk of the City-County Council

(SEAL)