

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Wednesday, June 22, 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 7:32 p.m., Wednesday, June 22, 1983. President SerVaas in the Chair. Councillor David N. Jones opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

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

ABSENT: Clark, Rhodes

CORRECTION OF THE JOURNAL

The Chair called for additions or corrections to the Journal of June 6, 1983. 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:**

Ladies and Gentlemen:

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 Wednesday, June 22, 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
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 June 9, 1983, and June 16, 1983, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 270, 275, and 282, 1983, to be held on Wednesday, June 22, 1983, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 45, 1983, amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) transferring and appropriating Six Hundred Fifty Dollars (\$650) in the County General Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 59, 1983, amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Chapter 3, dealing with the Department of Administration.

GENERAL ORDINANCE NO. 60, 1983, amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Article to Chapter 3, establishing a Department of Parks and Recreation.

GENERAL ORDINANCE NO. 61, 1983, amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Article IV to Chapter 3 to establish the Department of Public Safety.

GENERAL ORDINANCE NO. 62, 1983, amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Article V, establishing the Department of Public Works.

GENERAL ORDINANCE NO. 63, 1983, establishing the rules and procedures for the preparation of the 1984 Annual Budget for City and County Government. (Amends Code Sec. 2-403)

SPECIAL ORDINANCE NO. 8, 1983, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1983 (Zimmer Paper Products Incorporated Project)" in the aggregate principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 9, 1983, authorizing the issuance and sale of bonds by the Board of Commissioners of the County of Marion for the purpose of making a loan to procure funds necessary to be advanced by said County to Center Township for poor relief purposes.

SPECIAL RESOLUTION NO. 54, 1983, recognizing the 75th Session of the Indiana Conference of the African Methodist Episcopal Zion Church.

SPECIAL RESOLUTION NO. 55, 1983, honoring the John Marshall High School Girls Softball Team.

SPECIAL RESOLUTION NO. 56, 1983, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

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

PROPOSAL NO. 304, 1983. Introduced by Councillors Coughenour and Miller. She read the proposal honoring Southport High School Track and Field Star, Ami Jackson and moved for its adoption, seconded by Councillor Miller. Proposal No. 304, 1983, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 57, 1983, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 1983

A SPECIAL RESOLUTION honoring Southport High School Track and Field Star, Ami Jackson.

WHEREAS, Ms. Ami Jackson has been undefeated in Track and Field Dual Meets in the Discus event during all four (4) years of her High School career; and

WHEREAS, she has been the Marion County Discus Champion for the past four (4) years and the Indiana High School Athletic Association State Champion the past two (2) years; and

WHEREAS, Ms. Jackson has received her All-American Athletic Status this year and Ms. Jackson was one of only eight girls chosen from the United States, Canada, and Mexico to enter the discus event at the prestigious Women's Prep Classics in Portland, Oregon, Saturday, June 25, 1983; 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 and congratulates Ami Jackson for her outstanding athletic achievements and sends with her their best wishes in her future athletic endeavors.

SECTION 2. With their presentation of this flag of the State of Indiana from the Governor of the State, the Council invites the Mayor 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. 311, 1983. Introduced by Councillors Schneider, Rader, Vollmer, McGrath and Campbell. Councillor Schneider read the proposal urging the Transportation Board to reconsider the transfer of property to Health and Hospital

Corporation and moved, seconded by Councillor McGrath, for adoption. Councillor Tintera moved, seconded by Councillor West to send Proposal No. 311, 1983, to the Transportation Committee for hearing. Council consent was given.

INTRODUCTION OF GUESTS

Councillor Holmes introduced 17th District Candidate Amy Bradley. Councillor Coughenour introduced Precinct Committeeman Carolyn Merle. Mr. Bob Sare from the 30th Ward, Mrs. Marjore Nackenhorst and Jim Harton were introduced by Councillor McGrath. Councillor Sawyers introduced 11th District Candidate Beverly Mukes-Gaither. Councillor Schneider introduced Mr. John L. Ryan, President of the Marion County Welfare Board. Councillor Tintera introduced Marcus King and Ronald Winkler from Troop No. 116.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 292, 1983. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$438,000 for the Central Equipment Management Division to purchase gasoline for Maron County vehicles"; and the President referred it to the Administration Committee.

PROPOSAL NO. 293, 1983. Introduced by Councillor Dowden. The Clerk read the Proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$12,500 for the Finance Division for two additional personnel for the Traffic Violation and Auto Desk Divisions"; and the President referred it to the Administration Committee.

PROPOSAL NO. 294, 1983. Introduced by Councillors Rhodes, Holmes, Strader, McGrath and Journey. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION directing the Council legal staff to appeal to the Indiana Supreme Court the decision of the Indiana Court of Appeals that held the same insurance coverage must be offered to welfare employees as is offered to all other employees in the State service"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 295, 1983. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$750 for the Lawrence Township Assessor for an increase in office rent and the addition of a computer terminal"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 296, 1983. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$38,195 for the County Recorder to reinstate personnel that were deleted from the 1983 Budget and adjusts the personnel schedule"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 297, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$30,000 for the Prosecutor's Child Support Division for a 1983 IRS Intercept Project, State Reimbursement and adjusts the personnel schedule"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 298, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$16,000 for Marion County Superior Court, Juvenile Division to complete the air conditioning system and adjusts the personnel schedule"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 299, 1983. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$6,000 for the Air Pollution Control Division to purchase a computer"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 300, 1983. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Haverford Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 301, 1983. Introduced by Councillor Page. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE prohibiting stopping, standing and parking on a portion of New Jersey Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 302, 1983. Introduced by Councillor Page. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE prohibiting stopping, standing and parking on a portion of Louisiana Street"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

[Clerk's Note: Council consent was given in order that the Council Rules of Preparation, Initiation, and Introduction of Proposals may be suspended and Proposal

Nos. 305 and 306-310, 1983, may be introduced, although not timely submitted under the Rules.]

PROPOSAL NO. 305, 1983. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a **GENERAL ORDINANCE** fixing the salaries to be paid all elected and appointed officers and employees of the various townships in Marion County"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 306-310, 1983. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 17, 1983". Council consent was given on the proposals. Proposal Nos. 306-310, 1983, were retitled **REZONING ORDINANCE NOS. 94-98, 1983**, respectively, and read as follows:

**REZONING ORDINANCE NO. 94, 1983 83-Z-79 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
8621 MICHIGAN ROAD, INDIANAPOLIS**
College Life Insurance Company, by William F. LeMond, requests rezoning of 2.98 acres, being in C-4 district, to C-6 classification, to provide for the Brock Residence Inn motel.

**REZONING ORDINANCE NO. 95, 1983 83-Z-89 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
8802 NORTH MERIDIAN STREET, INDIANAPOLIS**
Lewis Rothbard, by Stephen Backer, requests rezoning of 3.96 acres, being in D-2 district, to C-1 classification, to provide for office use.

**REZONING ORDINANCE NO. 96, 1983 83-Z-90 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
7190 STATE ROAD 37, INDIANAPOLIS**
Gary R. Major, by Stephen D. Mears, requests rezoning of 1.92 acres, being in I-2-S district, to C-4 classification, to provide for commercial use.

**REZONING ORDINANCE NO. 97, 1983 83-Z-92 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
2501 SOUTH HIGH SCHOOL ROAD, INDIANAPOLIS**
Airport Inn Developers, by Bruce R. Karr, requests rezoning of 5.78 acres, being in C-4 and A-2 districts, to C-5 classification, to provide for a motor hotel.

**REZONING ORDINANCE NO. 98, 1983 83-Z-103 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
3801 EAST 38TH STREET, INDIANAPOLIS**
Samuel Adam Thompson requests rezoning of 0.83 acre, being in D-5 district, to C-4 classification, to provide for a carwash operation.

SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 245, 1983. This proposal appropriates \$120,000 for the Guardian Home to install a fire sprinkler system which is funded by a private donation. The Community Affairs Committee recommended passage by a vote of 6-0 on June 16, 1983. The President called for public testimony at 7:50 p.m. There being no one present to testify, Councillor McGrath moved, seconded by Councillor Howard, for adoption. Proposal No. 245, 1983, was adopted on the following roll call vote; viz:

26 YEAS: Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West
NO NAYS

3 NOT VOTING: Borst, Clark, Rhodes

Proposal No. 245, 1983, was retitled FISCAL ORDINANCE NO. 46, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional One Hundred Twenty Thousand Dollars (\$120,000) in the County Welfare Fund for purposes of the Marion County Guardian Home and reducing the unappropriated and unencumbered balance in the County Welfare 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 3.03 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 to install a fire sprinkler system which is being funded by a private donation.

SECTION 2. The sum of One Hundred Twenty Thousand Dollars (\$120,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY GUARDIAN HOME	COUNTY WELFARE FUND
3. Other Services & Charges	\$ 15,000
4. Capital Outlay	<u>105,000</u>
Total Increase	\$120,000

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

MARION COUNTY GUARDIAN HOME	COUNTY WELFARE FUND
Unappropriated and Unencumbered County Welfare Fund	<u>\$120,000</u>
Total Reductions	\$120,000

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

PROPOSAL NO. 270, 1983. This proposal appropriates \$1,550 for the Cooperative Extension Service for increased building maintenance. Councillor McGrath reported that the Cooperative Extension Service Office has a five year rent contract with a maintenance adjustment yearly. He added that this proposal provides for a \$.20 increase per square foot on the rent. The Community Affairs Committee recommended passage by a vote of 6-0-1 on June 16, 1983. The President called for public testimony at 7:51 p.m. There being no one present to testify, Councillor

McGrath moved, seconded by Councillor Journey for adoption. Proposal No. 270, 1983, was adopted on the following roll call vote; viz:

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

1 NAY: *Miller*

3 NOT VOTING: *Borst, Clark, Rhodes*

Proposal No. 270, 1983, was retitled FISCAL ORDINANCE NO. 47, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional One Thousand Five Hundred Fifty Dollars (\$1,550) in the County General Fund for purposes of the Marion County Cooperative Extension Service and reducing certain other appropriations for the Marion County Auditor.

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 (c)(4) 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 increased building maintenance and operation costs included in the annual office rental.

SECTION 2. The sum of One Thousand Five Hundred Fifty Dollars (\$1,550) 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 COOPERATIVE EXTENSION SERVICE	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$1,550</u>
Total Increase	<u>\$1,550</u>

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

MARION COUNTY AUDITOR	COUNTY GENERAL FUND
1. Personal Services (Fringes)	<u>\$1,550</u>
Total Reduction	<u>\$1,550</u>

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

PROPOSAL NO. 275, 1983. This proposal appropriates \$350,000 for the Administration Division, Department of Parks and Recreation to purchase land adjacent to Eagle Creek Park. Councillor Gilmer reported that the Parks and Recreation Committee recommended passage by a vote of 7-0 on June 16, 1983. He reported that the funds have been made available by the Department's selling of land land at the

Eagle Creek Airport to the Indianapolis Airport Authority. The land had previously been leased by the Airport Authority. Councillor Gilmer explained that the Department would be purchasing the land at 1972 prices and it is currently worth three times the amount the Department will be paying. The Block Estate contains 55.73 acres, a main house with an underground pool, stable, garage, cabin, and a smaller house. It will be rented out for company parties, weddings, etc., similar to the Department's Eagle's Hide-A-Way. The President called for public testimony at 7:55 p.m. After comments from Mr. John McLane, Councillor Gilmer moved for the adoption of Proposal No. 275, 1983, seconded by Councillor Howard. Proposal No. 275, 1983, was adopted on the following roll call vote; viz:

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

Proposal No. 275, 1983, was retitled FISCAL ORDINANCE NO. 48, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Three Hundred Fifty Thousand Dollars (\$350,000) in the Park Land Fund for purposes of the Department of Parks and Recreation, Administration Division and reducing the unappropriated and unencumbered balance in the Park Land Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 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 to exercise an option to purchase land adjacent to Eagle Creek Park. The option has been in effect since the original development of the Park.

SECTION 2. The sum of Three Hundred Fifty Thousand Dollars (\$350,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPT. OF PARKS & RECREATION ADMINISTRATION DIVISION	PARK LAND FUND
4. Capital Outlay	<u>\$350,000</u>
Total Increase	<u>\$350,000</u>

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

DEPT. OF PARKS & RECREATION ADMINISTRATION DIVISION	PARK LAND FUND
Unappropriated and Unencumbered Park Land Fund	<u>\$350,000</u>
Total Reduction	<u>\$350,000</u>

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

PROPOSAL NO. 282, 1983. This proposal appropriates \$201,242 for the Department of Welfare for merit raises and salary increases. Councillor McGrath reported that the Community Affairs Committee amended this proposal and presented it to the Council without recommendation. Councillor McGrath moved, seconded by Councillor Jones, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 282, 1983, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 282, 1983, Committee Recommendations".

Councillor McGrath

Council consent was given on the amendment. Councillor McGrath explained that State employees were under the Governor's freeze, therefore, they did not receive an increase in salary last year. Councillor McGrath explained that \$9,000 will be applied towards FICA, \$5,000 for PERF, \$85,000 for Group Insurance, and \$101,242 for Salaries. There was considerable discussion regarding the amount of the Welfare Department employee's contribution for health insurance compared to City-County employees and the fact that County Welfare Department employees are considered State employees. The Guardian Home falls under the Welfare Department's jurisdiction however it is a County agency and will not receive the salary increase and will be forced to pay the increase in insurance. Due to the fact that Councillor Rhodes' committee amendment removed the needed amount for group insurance, Councillor McGrath moved, seconded by Councillor Dowden, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 282, 1983, by amending the Revised Committee Recommendations version by increasing Group Insurance from \$391,000 to \$476,000 and the Vacancy Factor from (\$364,100) to (\$449,100), by adding Section 6 to read as follows:

SECTION 6. City-County Fiscal Ordinance No. 65, 1982, be amended by deleting from Section 3.02 thereof the next to the last paragraph thereof., and renumbering Section 6 to Section 7.

Councillor McGrath

Councillor Tintera stated that the City-County Council must seek relief of this situation from the State Legislature. Councillor Journey concurred. The President

called for public testimony at 8:10 p.m., at which time Mr. John L. Ryan, President of the Marion County Welfare Board, stated that the County Welfare Department employees are interpreted as State employees and the Board must support the law concerning salaries and fringe benefits. The President called for the question on Councillor McGrath's amendment and it was passed on the following roll call vote; viz:

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

Councillor McGrath moved, seconded by Councillor Schneider, for adoption. Proposal No. 282, 1983, As Amended, was adopted on the following roll call vote; viz:

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

Proposal No. 282, 1983, As Amended, was retitled FISCAL ORDINANCE NO. 49, 1983, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1983

A FISCAL ORDINANCE amending the City-County Annual Budget for 1983 (City-County Fiscal Ordinance No. 65, 1982) appropriating an additional Two Hundred One Thousand, Two Hundred Forty-two Dollars (\$201,242) in the County Welfare Fund for purposes of the Marion County Welfare Department and reducing the unappropriated and unencumbered balance in the County Welfare 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 3.02 and 3.03 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 merit raises and salary increases.

SECTION 2. The sum of Two Hundred One Thousand, Two Hundred Forty-two Dollars (\$201,242) 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 WELFARE DEPT.	COUNTY WELFARE FUND
1. Personal Services	<u>\$201,242</u>
Total Increase	<u>\$201,242</u>

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

MARION COUNTY WELFARE DEPT.
 Unappropriated and Unencumbered
 County Welfare Fund
 Total Reduction

COUNTY WELFARE FUND
\$201,242
\$201,242

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
Director	1	46,875	46,875
Super. & Admin. Pers.	79	27,696	1,531,735
Casework Personnel	312	23,569	4,596,714
Clerical Assistants	112	16,404	1,174,451
Custodians	2	12,091	23,625
Attorneys	4	27,696	102,900
Per Diem - Board Members	5	400	2,000
Unemployment			30,420
Group Insurance			390,000 476,000
Pension			238,250 241,250
FICA			468,130 477,130
Workman's Comp			21,200
Vacancy Factor	_____	(551,342)	(449,100)
TOTAL	515	8,078,958	<u>8,275,200</u>

SECTION 6. City-County Fiscal Ordinance No. 65, 1982, be amended by deleting from Section 3.02 thereof the next to the last paragraph thereof.

SECTION 7. 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. 135, 1983. This proposal amends the Code dealing with handicapped parking. Councillor Schneider reported that the Transportation Committee recommended to amend and pass the proposal on June 15, 1983 by a vote of 7-0. Councillor Schneider moved, seconded by Councillor McGrath, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 135, 1983, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 135, 1983, Committee Recommendations".

Councillor Schneider

Council consent was given on the amendment. Councillor McGrath explained that this proposal permits handicapped persons to park adjacent to or directly across the street from their residence and place of employment, where applicable. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposal No. 135, 1983, As Amended, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*
NO NAYS

3 NOT VOTING: *Clark, Dowden, Rhodes*

Proposal No. 135, 1983, As Amended, was retitled GENERAL ORDINANCE NO. 64, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-256.1, Parking privileges for physically handicapped persons.

**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 29-256.1, Parking privileges for physically handicapped persons, be and the same is hereby amended by deleting the crosshatched portions and adding the underlined portions as follows:

Sec. 29-256.1. Parking privileges for physically handicapped persons.

(a) The department of transportation of the City of Indianapolis is hereby authorized and empowered to grant to physically handicapped persons the exclusive use of parking space adjacent to or directly across the street from their residence and place of employment, subject to such rules and regulations as the department of transportation may prescribe in areas where such parking is otherwise permitted and not restricted, in the manner provided herein.

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

(c) Any person eligible by virtue of a physical handicap for special privileges under this section shall present to the department of transportation a written application, on a form furnished by the department, for a permit entitling that person to the exclusive use for a period of one calendar year from date of issue of one parking space adjacent to or directly across the street from the applicant's place of residence and one parking space adjacent to or directly across the street from the applicant's place of employment, where applicable. Such application shall include a certificate by a qualified physician verifying that the applicant is a physically handicapped person as defined in this section. Such an application for parking at a place of employment shall include evidence of approval by the employer.

If the applicant seeks parking space across the street from his place of residence or employment, he shall also present written consent from the owner or tenant of the real estate in front of which the applicant's parking space will be located. The written consent will be on a form approved by the Department of Transportation.

(d) Upon receipt of such written application, the department of transportation shall, within a reasonable time, grant or deny the permit so applied for, subject to the following conditions:

- (1) No applicant shall be granted a permit for more than one reserved space adjacent to or directly across the street from his place of residence and one reserved space adjacent to or directly across the street from his place of employment.

(2) No applicant shall be granted a permit who has access to off-street parking at his place of residence and place of employment; with the exception that the department may in its discretion grant a permit to an applicant who is able to demonstrate that the location of such off-street parking renders it unduly burdensome for him to utilize same.

(3) Each permit granted pursuant to the provisions of this section shall be assigned an identification number.

(e) Upon the grant of such permit, the department of transportation shall:

(1) Issue to the applicant a reserved space permit with an identification number.

(2) Mark the space(s) reserved by distinctive painting on the curb.

(3) Install a sign restricting use of the space to the permit holder only, which sign shall show thereon the holder's permit number.

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

[Clerk's Note: Consent was given to consider Proposal Nos. 177, 251, 254, 277, and 279, 1983, by taking one vote. All of the aforementioned proposals have been recommended by votes of 7-0 by the Transportation Committee on June 15, 1983.]

PROPOSAL NO. 177, 1983, changes intersection controls at Aultman and Drumm Roads. PROPOSAL NO. 251, 1983, changes intersection controls at Lowell Avenue and Irvington Avenue. PROPOSAL NO. 254, 1983, changes intersection controls at Naab Road and 86th Street. PROPOSAL NO. 277, 1983, changes intersection controls at Taxoma Avenue and 9th Street. PROPOSAL NO. 279, 1983, changes intersection controls at Berwyn and Marker Street. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposal Nos. 177, 251, 254, 277, and 279, 1983, were adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Clark, Rhodes*

Proposal Nos. 177, 251, 254, 277, and 279, 1983, were retitled GENERAL ORDINANCE NOS. 65-69, 1983, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 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>
13 Pg. 1	Aultman Rd. FBH & Drumn Rd. FBH	Aultman Rd.	STOP

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13 Pg. 1	Aultman Rd. FBH & Drumn Rd. FBH		SIGNAL

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. 66, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, 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", 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>
26 Pg. 13	Lowell Ave. & Irvington Ave.	Lowell Ave.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
26 Pg. 13	Lowell Ave. & Irvington Ave.		4-WAY 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. 67, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, 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", 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> 3 Pg. 4	<u>INTERSECTION</u> Naab Rd. & W. 86th St.	<u>PREFERENTIAL</u> W. 86th St.	<u>TYPE OF CONTROL</u> STOP
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SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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> 3 Pg. 4	<u>INTERSECTION</u> Naab Rd. & W. 86th St.	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u> SIGNAL
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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. 68, 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", 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> 25 Pg. 27	<u>INTERSECTION</u> Tacoma Ave. & 9th St.	<u>PREFERENTIAL</u> N. Tacoma Ave.	<u>TYPE OF CONTROL</u> STOP
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SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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> 25 Pg. 27	<u>INTERSECTION</u> Tacoma Ave. & 9th St.	<u>PREFERENTIAL</u> N. Tacoma Ave.	<u>TYPE OF CONTROL</u> 4-WAY STOP
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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. 69, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, 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", 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> 32 Pg. 3	<u>INTERSECTION</u> Berwyn St. & Manker St.	<u>PREFERENTIAL</u> Berwyn St.	<u>TYPE OF CONTROL</u> STOP
32 Pg. 1	Albany St. & Manker St.	Albany St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
32 Pg. 3	Berwyn St. & Manker St.		4-WAY STOP
32 Pg. 1	Albany St. & Manker St.		4-WAY STOP

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

PROPOSAL NO. 252, 1983. This proposal prohibits parking on a portion of Camden Road. Councillor Miller moved to postpone action until July 18, 1983, seconded by Councillor Schneider.

PROPOSAL NO. 253, 1983. This proposal changes parking controls on a portion of Delaware Street. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 7-0 on June 15, 1983. He moved, seconded by Councillor McGrath, for adoption. Proposal No. 253, 1983, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*
 NO NAYS
 3 NOT VOTING: *Boyd, Clark, Rhodes*

Proposal No. 253, 1983, was retitled GENERAL ORDINANCE NO. 70, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, 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", Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

ONE HOUR

Delaware Street, on the east side, from Market Street to Wabash Street.

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

PROPOSAL NO. 256, 1983. This proposal changes intersection controls at Oliver and Warren Avenue. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 7-0 on June 15, 1983. He moved, seconded by Councillor McGrath, for adoption. Proposal No. 256, 1983, was adopted on the following roll call vote; viz:

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

Proposal No. 256, 1983, was retitled GENERAL ORDINANCE NO. 71, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 71, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, 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", 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>
31 Pg. 6	Oliver Ave. & Warren Ave.	NONE	SIGNAL

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
31 Pg. 6	Oliver Ave. & Warren Ave. (NB)	Oliver Ave.	STOP
31 Pg. 6	Oliver Ave. & Warren Ave. (SB)	Oliver Ave.	STOP

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

PROPOSAL NO. 255, 1983. This proposal changes intersection controls at Delaware and 29th Streets. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 7-0 on June 15, 1983. He moved, seconded by Councillor McGrath, for adoption. Proposal No. 255, 1983, was adopted on the following roll call vote; viz:

20 YEAS: *Borst, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Howard, Jones, McGrath, Miller, Nickell, Rader, Sawyers, Schneider, SerVaas, Strader, Vollmer, West*

1 NAY: *Holmes*

8 NOT VOTING: *Boyd, Clark, Hawkins, Journey, Page, Rhodes, Stewart, Tintera*

Proposal No. 255, 1983, was retitled GENERAL ORDINANCE NO. 72, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, 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", 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>
18 Pg. 6	N. Delaware St. & E. 29th St.	NONE	SIGNAL

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", 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>
18 Pg. 6	Delaware St. & 29th St.	29th St.	STOP

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

PROPOSAL NO. 257, 1983. This proposal creates the Department of Transportation. Councillor Schneider reported that Proposal No. 257, 1983, was recommended for passage by the Transportation Committee on June 15, 1983, by a vote of 7-0. He reported that this proposal is the outcome of recent Home Rule Legislation. Councillor Schneider moved, seconded by Councillor McGrath, for adoption. Proposal No. 257, 1983, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Clark, Rhodes*

Proposal No. 257, 1983, was retitled GENERAL ORDINANCE NO. 73, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Article VI creating a Department of Transportation.

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

SECTION 1. Chapter 3 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by adding a new Article VI, to read as follows:

ARTICLE VI. DEPARTMENT OF TRANSPORTATION.

Sec. 3-500. Department created; duties, powers.

a. There is hereby created a Department of Transportation for the consolidated city as successor to the Department of Transportation created by I.C. 18-4-10 (repealed).

b. It shall be the responsibility of the department of transportation to plan, design, construct, reconstruct, maintain and operate roads, streets, bridges and other public ways, plan mass transportation systems and grant and withhold franchises or other rights for the use of roads within the consolidated city. In addition, the department shall have all powers and duties assigned by I.C. 36-9-6.5, by other law or by the mayor or the city-county council. The department shall have all powers and duties prescribed for it as of August 31, 1983, subject to I.C. 36-3-4-23.

Sec. 3-501. Director; duties, powers.

a. The chief administrative officer of the department shall be a director who shall be appointed by the mayor with the approval of the city-county council as required by I.C. 36-3-5-2. The director is appointed for a term of one (1) year and until his successor is appointed and qualified, but serves at the pleasure of the mayor.

b. The director of the department of transportation shall have the following powers and duties:

1. To supervise and coordinate the activities of divisions within the department;
2. To oversee the daily operations of the department;
3. To prepare and submit the department's budget to the fiscal officer as required by I.C. 36-3-6-4;
4. To appoint an administrator to be the head of each division of the department subject to the approval of the mayor as provided in I.C. 36-3-5-5;
5. To approve the hiring and dismissal of the personnel of the department subject to the limitations prescribed by the law and rules adopted by the mayor as provided in I.C. 36-3-5-5 (c);
6. To manage the personnel of the department;
7. To delegate to the personnel employed in the department, authority to act on his behalf as provided in I.C. 36-3-5-5 (c);
8. To execute contracts subject to the authority of the transportation board, the mayor and any other limitations prescribed by law;
9. To approve or disapprove disbursement of funds subject to limitations prescribed by law; and
10. Any other powers which may be granted by law or by the mayor or the city-county council.

Sec. 3-502. Divisions; duties, powers.

The department of transportation shall be composed of the following divisions:

(A) Administrative Services Division.

The Administrative Services Division shall:

1. Provide services for the department as a whole which can be more efficiently accomplished by a central division;
2. Administer the installation and collection of fees from parking meters;
3. Receive and investigate complaints;
4. Prepare notices and billings for public improvement and services;
5. Coordinate federally funded projects;
6. Exercise the powers granted the department of transportation in I.C. 36-9-11.1; and
7. Provide personnel and public relations services for the department.

(B) Street Engineering Division.

The Street Engineering Division shall:

1. Plan, design, engineer, construct, reconstruct and acquire land for streets and roads within public rights of way in the consolidated city including roadway drainage systems for newly constructed roads and streets; and
2. Exercise all other powers necessary for the construction of streets and roads.

(C) Traffic Engineering Division.

The Traffic Engineering Division shall:

1. Maintain traffic records;
2. Receive and study traffic complaints;
3. Determine placement of and place and maintain traffic control signs and devices;
4. Perform street lining, curb marking and crosswalk painting services;
5. Plan and install street lighting;
6. Issue driveway, street cut, truck loading zone, handicapped parking and other permits; and
7. Exercise all other powers necessary to facilitate traffic movement and safety within the public right-of-way in the consolidated city.

(D) Maintenance Division.

The Maintenance Division shall:

1. Perform street maintenance and repair services on consolidated city streets and on open drainage ditches in the public right-of-way;
2. Remove ice and snow from consolidated city streets; and
3. Clean streets in the consolidated city.

In addition each division shall have all powers awarded by statute, ordinance or by the Mayor.

Sec. 3-503. Board of Transportation.

a. Established: There is hereby established a board of transportation pursuant to I.C. 36-3-5-6 and I.C. 36-3-4-23.

b. Members: the board shall be composed of five (5) members; the department director, who serves as presiding officer of the board, two (2) members appointed by the mayor and two (2) members appointed by the city-county council. Each appointed member shall serve a one (1) year term and until his successor is appointed and qualified, but serves at the pleasure of the appointing authority.

In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.

c. Meetings: the board shall hold regular meetings at least once a month, at times and places prescribed by its rules or established by resolution. No notice to members is required for holding or taking any action at a regular meeting. A special meeting of the board may be called by the presiding officer or by 2/5 of the members, at any place in the county designated in the call. Each member shall be notified of the time and place of such a meeting by written notice which must be delivered, mailed or sent by telegram so that each member has at least seventy-two (72) hours notice of the meeting. The notice requirement may be waived as to a member if he attends the meeting or executes a written waiver of notice. The waiver may be executed either before or after the meeting, but if executed after, it must state in general terms the purpose of the meeting.

d. Board action: a majority of all members of the board constitutes a quorum. A majority vote of all the board members is required to pass a resolution.

e. Powers: the transportation board shall:

1. Review all budgets of the metropolitan thoroughfare district and the department prepared for or proposed by the department and shall recommend to the city-county council any revisions or adjustments as the board deems desirable;
2. Hold any hearing to be held following public notice and make the findings and determinations required by applicable law to be made after such hearing, including but not limited to the issuance of special taxing district bond;
3. Approve the award and amendment of contracts by the department for the purchase or lease of capital equipment, supplies, materials, services, or other property where the contract is required to be bid under I.C. 36-1-9;
4. Approve the award and amendment of public construction contracts required to be bid under I.C. 36-1-12;
5. Approve the acquisition of and leases for real estate;
6. Approve the employment of persons engaged by contract to render professional or consulting services;
7. Accept streets and roads into the public road system after dedication pursuant to the procedure set forth in Chapter 28 of the "Code of Indianapolis and Marion County, Indiana";
8. Hold hearing on appeal from denial of permits or waivers under the jurisdiction of the department of transportation;
9. Exercise the powers of the works board in I.C. 36-9-18, I.C. 36-9-19, and I.C. 36-9-20 insofar as these powers apply to sidewalks, curbs, streets, alleys, other paved public places, parking facilities, lighting and electric signals;
10. Exercise all powers granted to the transportation board by I.C. 36-9-6.5 and I.C. 36-9-11.1; and
11. Exercise any additional powers awarded by statute, ordinance or by the mayor.

SECTION 2. (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 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 278, 1983. This proposal establishes a passenger and materials loading zone on a portion of Pennsylvania Street. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 7-0 on June 15, 1983. He moved, seconded by Councillor McGrath, for adoption. Proposal No. 278, 1983, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Clark, Rhodes*

Proposal No. 278, 1983, was retitled GENERAL ORDINANCE NO. 74, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 1983

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

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", Chapter 29, Section 29-331, Passenger and materials loading zone, be, and the same is hereby amended by the addition of the following, to wit :

Pennsylvania Street, on the east side from a point thirty-four feet north of Maryland Street, to a point sixty-two feet north of Maryland Street.

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

PROPOSAL NO. 276, 1983. This proposal changes parking controls on a portion Morris Street. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 7-0 on June 15, 1983. He moved, seconded by Councillor McGrath, for adoption. Proposal No. 276, 1983, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Boyd, Clark, Rhodes*

Proposal No. 276, 1983, was retitled GENERAL ORDINANCE NO. 75, 1983, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

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", Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Morris Street, on both sides, from Lockburn Street to Holt Road

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

PROPOSAL NO. 274, 1983. This proposal authorizes the Mayor to submit a grant application to the Department of Housing and Urban Development. Councillor Durnil reported that the Metropolitan Development Committee recommended passage by a vote of 5-0 on June 15, 1983. After discussion and comments from Bob Cross from the Department of Metropolitan Development, Councillor Durnil moved, seconded by Councillor Rader, for adoption. Proposal No. 274, 1983, was adopted on the following roll call vote; viz:

21 YEAS: Borst, Boyd, Brinkman, Campbell, Cottingham, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, McGrath, Miller, Rader, Sawyers, SerVaas, Stewart, Strader, Tintera, Vollmer, West

6 NAYS: Coughenour, Dowden, Journey, Nickell, Page, Schneider

2 NOT VOTING: Clark, Rhodes

Proposal No. 274, 1983, was retitled SPECIAL RESOLUTION NO. 58, 1983, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 1983

A SPECIAL RESOLUTION authorizing the Mayor to submit a grant application to the Department of Housing and Urban Development.

WHEREAS, the Appropriations Act of 1983, commonly referred to as the "Jobs Bill", authorizes federal funds to be distributed to local units of government; and

WHEREAS, the funds from said grants shall be used for economic development purposes, infra-structure improvements neighborhood and housing revitalization, and humanitarian assistance; and

WHEREAS, local units must submit an application for said funds with the Department of Housing and Urban Development before July 1, 1983; and

WHEREAS, Federal Regulations require the City-County Council to authorize the filing of an application for the grant funds; now, therefore:

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

SECTION 1. The City-County Council hereby authorizes the Mayor to file an application with the Department of Housing and Urban Development for funds available to local governments pursuant to the Appropriations Act of 1983.

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

PROPOSAL NO. 244, 1983. This proposal requests the Community Affairs Committee to examine alternative programs which may be implemented to eliminate the problem of tenant vacancies in public housing projects. Councillor McGrath reported that the Community Affairs Committee amended and passed this proposal by a vote of 5-0 on June 16, 1983. He moved, seconded by Councillor Holmes, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 244, 1983, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 244, 1983, Committee Recommendations".

Councillor McGrath

Council consent was given on the amendment. Consent was given to technically amend Section 2 of Proposal No. 244, 1983, by changing the number to serve on the task force from "eight to ten" to "nine" members and by changing "appointed" to "nominated". After brief discussion, Councillor McGrath moved, seconded by Councillor Strader, for adoption. Proposal No. 244, 1983, As Amended, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*
NO NAYS

3 NOT VOTING: *Clark, Jones, Rhodes*

Proposal No. 244, 1983, As Amended, was retitled COUNCIL RESOLUTION NO. 10, 1983, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 1983

A COUNCIL RESOLUTION requesting the Community Affairs Committee to examine alternative programs which may be implemented to eliminate the problem of tenant vacancies in public housing projects.

WHEREAS, the housing projects in Indianapolis and Marion County have a higher than average vacancy rate when compared to alternative forms of housing in the metropolitan area; and

WHEREAS, numerous efforts have been attempted by many individuals to correct this situation; and

WHEREAS, it is in the best interest of the citizens of this City and County to have fully occupied housing projects; 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 of Indianapolis and Marion County urges the Community Affairs Committee of the Council to examine alternative programs which may be implemented to eliminate the problem of tenant vacancies in public housing projects.

SECTION 2. A nine member task force consisting of people who have a background in Housing and Community Development shall be nominated by the Community Affairs Committee and approved by the Council to work with the Indianapolis Housing Authority to address the problem with input from tenants, and other concerned individuals.

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

PROPOSAL NO. 281, 1983. This proposal authorizes the Department of Administration to increase the current vehicle inventory by two automobiles. Mr. Lee Hauser, Administrative Assistant to the Director of Administration, stated that City Personnel, in conjunction with the Police Department, have been administering a defensive driving program for city employees who spend fifty percent or more of their time driving on the job. The Police Department will be providing four vehicles and the City will be providing two additional vehicles. These two vehicles have been used as City-County pool cars and have been replaced by two new cars. The two older models, a 1977 and 1978 Dodge Aspen, would have been sold in the auction if not applied towards this program. Councillor Dowden moved, seconded by Councillor McGrath, for adoption. Proposal No. 281, 1983, was adopted on the following roll call vote; viz:

18 YEAS: *Borst, Brinkman, Coughenour, Dowden, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer*

8 NAYS: *Boyd, Campbell, Cottingham, Durnil, Gilmer, Howard, Jones, West*

3 NOT VOTING: *Clark, Rhodes, Sawyers*

Proposal No. 281, 1983, was retitled GENERAL RESOLUTION NO. 6, 1983, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 6, 1983

A GENERAL RESOLUTION authorizing the Department of Administration to increase the vehicle inventory by two automobiles.

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

SECTION 1. Pursuant to Section 2-204 of the "Code of Indianapolis and Marion County, Indiana", the Department of Administration is hereby authorized to increase its current vehicle inventory by two automobiles to be assigned to the driver improvement program.

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

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:32 p.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 22nd of June, 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)