

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

REGULAR MEETINGS - MONDAY, JANUARY 7, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m., on Monday, January 7, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Beurt SerVaas.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

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

Twenty-nine members being present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Strader introduced a few constituents of his from the near south side. Councillor Giffin recognized Senator Morris Mills and his wife Mary Ann as well as Mr. Howard Mills, Sr. and Mrs. Beulah Thornburg.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, January 7, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

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

December 12, 1984

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS on December 19, 1984, and December 26, 1984, and The Indianapolis COMMERCIAL on December 14, 1984, and December 21, 1984, a copy of NOTICE TO TAXPAYERS of "License Regulation of the City Controller of the City of Indianapolis."

Respectfully,

**s/Beverly S. Rippy
City Clerk**

December 21, 1984

**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 December 27, 1984, and January 3, 1984, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 661, 1984, to be held on Monday, January 7, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

**s/Beverly S. Rippy
City Clerk**

December 18, 1984

**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. 100, 1984, transfers \$14,900 for remodeling of the Recorder's office.

FISCAL ORDINANCE NO. 102, 1984, transfers \$890 for the rental of equipment and changes the personnel schedule for the Superior Court - Criminal Division - Room One.

GENERAL ORDINANCE NO. 79, 1984, changes parking controls on a portion of Indianola Avenue.

GENERAL ORDINANCE NO. 80, 1984, changes speed limit controls on a portion of Stop 11 Road.

GENERAL ORDINANCE NO. 81, 1984, changes intersection controls at Olin Avenue and 16th Street.

SPECIAL ORDINANCE NO. 69, 1984, a final bond ordinance authorizing the issuance of \$1,500,000 Industrial Revenue Bonds for Builders Transport, Inc.

SPECIAL ORDINANCE NO. 70, 1984, a final bond ordinance authorizing the issuance of \$8,500,000 Economic Development Revenue Bonds for 123 S. Illinois Associates, an Indiana limited partnership.

SPECIAL ORDINANCE NO. 71, 1984, a final bond ordinance authorizing the issuance of \$1,000,000 Economic Development Revenue Bonds for Joint and Clutch Service, Inc.

SPECIAL ORDINANCE NO. 72, 1984, a final bond ordinance authorizing the issuance of \$1,800,000 Economic Development Revenue Bonds for John Ober and Betty Ober.

SPECIAL ORDINANCE NO. 73, 1984, a special ordinance consenting to the issuance of \$1,000,000 Economic Development Mortgage Revenue Bonds by the City of Beech Grove, Indiana, for South Inn Developers.

SPECIAL ORDINANCE NO. 74, 1984, a special ordinance designating the parcels of land commonly known as 2626 and 2750 East 46th Street; 2421 and 2506 Willowbrook Parkway; 4740 and 4760 Kingsway Drive as an economic development target area.

SPECIAL ORDINANCE NO. 75, 1984, a special ordinance designating the parcel of land commonly known as 129 East Market Street as an economic development target area.

SPECIAL ORDINANCE NO. 76, 1984, a final bond ordinance authorizing the issuance of \$6,500,000 Economic Development Revenue Bonds for Butler Associates, Limited.

SPECIAL ORDINANCE NO. 77, 1984, a final bond ordinance authorizing the issuance of \$1,600,000 Economic Development Revenue Bonds for Indianapolis Heliport Corporation.

SPECIAL RESOLUTION NO. 98, 1984, honors the 1984 Warren Central High School AAAA State Football Champions.

SPECIAL RESOLUTION NO. 99, 1984, honors the Wheeler Boys Club Football Team.

SPECIAL RESOLUTION NO. 100, 1984, honors the local organizing committee of the National League of Cities Convention.

SPECIAL RESOLUTION NO. 101, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Web Realty of Indianapolis, Ltd. in an approximate amount of \$1,335,000.

SPECIAL RESOLUTION NO. 102, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Robert F. Titus and Edgar S. Wilbourn III and/or any entity(s) designated by either or both of the aforementioned persons in an amount not to exceed \$9,750,000.

SPECIAL RESOLUTION NO. 103, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Calderon Bros. Vending Machines, Inc. (or a partnership formed by the shareholders of Calderon Bros. Vending Machines, Inc.) in an approximate amount of \$1,700,000.

SPECIAL RESOLUTION NO. 104, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Van's Carburetor & Electric, Inc. or a partnership to be formed by the principals of said corporation and other members of the Van Vlymen family in an approximate amount of \$725,000.

SPECIAL RESOLUTION NO. 105, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Robert E. Carr or an entity to be formed in an approximate amount of \$3,200,000.

SPECIAL RESOLUTION NO. 106, 1984, an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Cambridge Group, Inc. in an approximate amount of \$8,000,000.

SPECIAL RESOLUTION NO. 107, 1984, an inducement resolution amending previously adopted Special Resolution No. 54, 1984, to increase the dollar amount of the inducement resolution from \$4,000,000 to \$4,500,000 for Congregate Housing Partnership.

SPECIAL RESOLUTION NO. 108, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 68, 1984 (inducement resolution for Brylane, Inc., a Delaware corporation, or any entity affiliated with Brylane, Inc.).

SPECIAL RESOLUTION NO. 109, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 69, 1984 (inducement resolution for Indianapolis Heliport Corporation).

SPECIAL RESOLUTION NO. 110, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 72, 1984 (inducement resolution for Massachusetts Point Partners, Ltd.).

SPECIAL RESOLUTION NO. 111, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 75, 1984 (inducement resolution for Massachusetts Avenue Realty).

SPECIAL RESOLUTION NO. 112, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 76, 1984 (inducement resolution for a partnership to be formed by the principals of Station Place Partnership).

SPECIAL RESOLUTION NO. 113, 1984, an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 77, 1984 (inducement resolution for JMH Partners).

Respectfully submitted,

s/William H. Hudnut, III

December 18, 1984

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
FIRE SPECIAL SERVICE DISTRICT 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 Fire Special Service District Council, Mrs. Beverly S. Rippy, the following ordinance:

GENERAL ORDINANCE NO. 1, 1984, amending provisions of the Fire Merit Ordinance concerning leave for members of the Indianapolis Fire Department.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF THE AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of January 7, 1985.

ORGANIZATION OF COUNCIL

SELECTION OF TEMPORARY OFFICERS

Councillor Gilmer moved, seconded by Councillor Miller to appoint Mr. Robert G. Elrod as the temporary chairman of the meeting and Mrs. Beverly S. Rippy as the temporary secretary. Dr. SerVaas then surrendered the gavel to Mr. Elrod.

ELECTION OF OFFICERS

Mr. Elrod opened the floor for moninations for the office of President. Councillor Cottingham nominated Councillor SerVaas for the office of President, seconded by Councillor Rader. Councillor Gilmer moved, seconded by Councillor Crowe, to close nominations. Nominations were closed by unanimous voice vote,

thereby electing Councillor SerVaas as President. Mr. Elrod then entertained nominations for the office of Vice President. Councillor Gilmer nominated Councillor Miller for the office of Vice President, second by Councillor Rhodes. Councillor Cottingham moved, seconded by Councillor Crowe, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Councillor Miller as Vice President. Mr. Elrod then entertained nominations for the office of Clerk of the Council. Councillor Miller nominated Mrs. Beverly S. Rippy for the office of Clerk of the Council, seconded by Councillor Rader. Councillor Holmes moved, seconded by Councillor Rader, to close nominations. Nominations were closed by unanimous voice vote, thereby electing Mrs. Beverly S. Rippy as Clerk of the Council.

REAPPOINTMENT OF STAFF

Mr. Elrod surrendered the gavel to President SerVaas, who requested the following staff members be reappointed:

First Assistant Clerk - Debbie Holt
Second Assistant Clerk - Karen Meier
General Counsel - Robert G. Elrod
Senior Fiscal Budget Analyst - Roy C. Icenogle
Research Director - Thomas H. Stoughton
Assistant Attorney - Kenneth T. Roberts

Consent was given for these reappointments.

CERTIFICATION OF CAUCUS LEADERS

Certification of Election of Caucus Leader

The undersigned Councillors having affiliated themselves with the caucus of the Republican Party, hereby certify that by a vote taken at that caucus on the 19th day of November, 1984, Donald W. Miller, was elected as caucus leader.

Carlton Curry
Stephen R. West
Ray Crowe
Gordon Gilmer
William Schneider

Stanley Strader
David McGrath
Kenneth Giffin
Wayne Rader
Holley Holmes

Patricia Nickell
Betty Stewart
Stuart W. Rhodes
Julius F. Shaw
Allen Durnil
Beulah Coughenour

Dwight Cottingham
Amy S. Bradley
Philip C. Borst
Beurt SerVaas
Donald W. Miller
William Dowden

Certification of Election of Caucus Leader

The undersigned of the Democrat Party, hereby certify that by a vote taken at that caucus on the 10th day of December, 1984, Mrs. Lula Journey was elected as caucus leader.

David Page
Glenn Howard
Rozelle Boyd

Edgar Campbell
Harold Hawkins
Lula Journey

REPORT OF COMMITTEE ON COMMITTEES AND APPOINTMENT OF COMMITTEE CHAIRMEN

President SerVaas announced that committee assignments had been made for all committees for 1985 by the Committee on Committees. President SerVaas submitted the following list of committee chairmen and members subject to change by the Committee on Committees. The list reads as follows:

Administration Committee: Coughenour, Chairman; Curry, Hawkins, Holmes, McGrath, Shaw, Strader

Community Affairs Committee: Stewart, Chairman; Crowe, Curry, Giffin, Journey, Nickell, Bradley

County and Townships Committee: Cottingham, Chairman; Boyd, Bradley, Hawkins, Holmes, Giffin

Economic Development Committee: Schneider, Chairman; Boyd, Clark, Gilmer, Howard, Rader, Stewart

Metropolitan Development Committee: Borst, Chairman; Campbell, Crowe, Miller, Page, Rader, Strader

Municipal Corporations Committee: Clark, Chairman; Durnil, Rhodes, Shaw, Howard, Giffin

Parks and Recreation Committee: Durnil, Chairman; Crowe, Howard, Journey, Rhodes, Strader

Public Safety and Criminal Justice Committee: Dowden, Chairman; Borst, Campbell, Hawkins, Holmes, Nickell, Shaw, West

Public Works Committee: West, Chairman; Boyd, Coughenour, Nickell, Page, Rhodes

Rules and Policy Committee: McGrath, Chairman; Cottingham, Dowden, Hawkins, Journey, Miller, SerVaas

Transportation Committee: Gilmer, Chairman; Bradley, Campbell, Curry, McGrath, Page, Rader, Schneider

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journals of September 24, 1984 and October 8, 1984. There being no additions or corrections, the minutes were approved as distributed.

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

Councillor Strader requested that the Council honor Mrs. Mary Lindsay who had recently passed away with a moment of silence.

PROPOSAL NO. 673, 1984. This proposal sets the schedule of regular council meeting dates for the year 1985. Councillor SerVaas stated that everyone should have an amended copy in their packets and that changes were made to accommodate as many councillors as possible. Councillor Howard moved, seconded by Councillor Gilmer for adoption. Proposal No. 673, 1984, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 1, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 1, 1985

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1985.

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

SECTION 1. The City-County Council hereby approves the following schedule for regular meetings for the year 1985:

- | | |
|-------------------------------|---------------------------------|
| 1) Monday - January 7, 1985 | 12) Monday - July 22, 1985 |
| 2) Monday - January 28, 1985 | 13) Monday - August 5, 1985 |
| 3) Monday - February 11, 1985 | 14) Monday - August 26, 1985 |
| 4) Monday - February 25, 1985 | 15) Monday - September 9, 1985 |
| 5) Monday - March 11, 1985 | 16) Monday - September 30, 1985 |
| 6) Tuesday - March 26, 1985 | 17) Tuesday - October 15, 1985 |
| 7) Monday - April 15, 1985 | 18) Monday - October 28, 1985 |
| 8) Monday - May 6, 1985 | 19) Monday - November 11, 1985 |
| 9) Monday - May 20, 1985 | 20) Monday - November 25, 1985 |
| 10) Monday - June 10, 1985 | 21) Monday - December 16, 1985 |
| 11) Monday - June 24, 1985 | |

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

PROPOSAL NO. 18, 1985. This proposal approves the appointment of certain persons by the Mayor to fulfill the offices of Deputy Mayors and Department Directors for the year 1985. Councillor Miller said that the Mayor's cabinet had served the City well the past year and moved the adoption of Proposal No. 18, 1985, seconded by Councillor Cottingham. Proposal No. 18, 1985, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 2, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 2, 1985

A COUNCIL RESOLUTION approving the appointment of certain persons by the Mayor to fulfill the offices of Deputy Mayor and Department Directors during the period from January 1, 1985 through December 31, 1985.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the names of his appointees for the named positions, to serve in their respective offices at his pleasure from January 1, 1985 through December 31, 1985; now, therefore:

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

SECTION 1. The following persons are approved and confirmed by the City-County Council for the respective offices for terms beginning January 1, 1985 and ending December 31, 1985 to serve at the pleasure of the Mayor, to wit:

Senior Deputy Mayor - Joseph A. Slash
Deputy Mayor - John L. Krauss
Director, Department of Administration - Donald R. McPherson
Director, Department of Metropolitan Development - David E. Carley
Director, Department of Parks and Recreation - F. Arthur Strong
Director, Department of Public Safety - Richard I. Blankenbaker
Director, Department of Public Works - Barbara S. Gole
Director, Department of Transportation - Fred L. Madorin

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

PROPOSAL NO. 19, 1985. This proposal was sponsored by Councillors Giffin and Cottingham and memorializes Sumner A. Mills. Councillor Giffin read the resolution and presented it to family members Senator Morris Mills and his wife Mary Ann and the brother and sister of the late Sumner Mills, Mr. Howard Mills, Sr. and Beulah Thornburg. Councillor Giffin moved, seconded by Councillor Cottingham for adoption. Proposal No. 19, 1985, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 1, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 1, 1985

A SPECIAL RESOLUTION memorializing Sumner A. Mills.

WHEREAS, Sumner A. Mills passed away Christmas Eve, December 24, 1984; and

WHEREAS, Mr. Mills served the people of his city and community for many decades; and

WHEREAS, Sumner A. Mills was a former teacher and principal of West Newton High School and Trustee of Earlham College; and

WHEREAS, Mr. Mills was a founder of the Friends Committee on National Legislation and Chairman of the Central European Desk of the American Friends Service Committee; and

WHEREAS, Mr. Mills was a founder and President of Maplehurst Farms Dairy and former Chairman of the Board of Directors of Meridian Mutual Insurance Company; and

WHEREAS, Sumner A. Mills was a director of Flanner House and a founder and former President of the Decatur Township Historical Society; 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 conveys its condolences to the family of Sumner A. Mills.

SECTION 2. The City-County Council expresses its gratitude for Mr. Mills' dedication and service to his community and city.

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. 20, 1985. This proposal postpones the effective date of certain regulations promulgated by the City Controller with respect to certain street vendors. Councillor Borst explained that the sponsors of this proposal were delaying the effective date until February 1, 1985, to give the Administration Committee a chance to hold a public hearing on the new regulations. Councillor Rhodes stated that Councillor Page, a sponsor of Proposal No. 20, was going to be out of town and does wish to attend the committee hearing. Councillor Rhodes moved, seconded by Councillor Page, to amend Proposal No. 20, 1985, by changing the effective date from February 1, 1985 until February 15, 1985. This motion passed by unanimous voice vote. Councillor Borst moved, seconded by Councillor Rhodes for adoption. Proposal No. 20, 1985, as amended, was adopted by unanimous voice vote and retitled **SPECIAL RESOLUTION NO. 2, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 1985

A SPECIAL RESOLUTION postponing the effective date of certain regulations promulgated by the City Controller with respect to certain street vendors.

WHEREAS, the City Controller on December 12, 1984, filed with the Clerk of the Council certain regulations respecting licensed street vendors; and

WHEREAS, such regulations become effective January 11, 1985, unless this Council stays such effective date; and

WHEREAS, the Council determines that the regulations should be reviewed by the Council before they become effective; now, therefore:

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

SECTION 1. The regulations promulgated by the City Controller on December 12, 1984 with respect to certain licensed street vendors, are hereby stayed and the effective date of such regulations postponed until February 15, 1985, pursuant to Section 2-4 of the "Code of Indianapolis and Marion County, Indiana".

SECTION 2. The licenses of vendors expiring December 31, 1984 are hereby temporarily extended until February 15, 1985.

SECTION 3. The regulations are referred to the Administration Committee for public hearing to determine if said regulations shall be amended or further delayed.

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

PROPOSAL NO. 22, 1985. This proposal appoints members to certain boards and commissions. Councillor Miller explained that the terms of these appointees had expired and they did wish to be reappointed. Councillor Miller moved, seconded by Councillor Borst for adoption. Proposal No. 22, 1985, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 3, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 3, 1985

A COUNCIL RESOLUTION appointing members to certain boards and commissions.

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 Marion County Liquor Board, the Council appoints:

BRUCE MELCHERT

SECTION 2. As members of the City-County Administrative Board, the Council appoints:

JOYCE BRINKMAN WILLIAM MILLER

SECTION 3. As members of the Community Centers of Indianapolis Board, the Council appoints:

JESSE BABB CLARA JO GILLESPIE

SECTION 4. As members of the I.S.A. Board, the Council appoints:

HARRY EAKIN ED BUCKLEY

SECTION 5. As members of the Juvenile Detention Center Advisory Board, the Council appoints:

PATRICIA NICKELL WILLIAM SMITH CARL ANDREWS

SECTION 6. As a member of the Tax Adjustment Board, the Council appoints:

DWIGHT COTTINGHAM

SECTION 7. As a member of the Audit Committee, the Council appoints:

RICHARD PAYNE

SECTION 8. As members of the Cable Franchise Board, the Council appoints:

DON HARGADON TOM KRUDY

SECTION 9. As a member of the Equal Opportunity Advisory Board, the Council appoints:

EVELYN LOVELACE

SECTION 10. As members of the Metropolitan Development Commission, the Council appoints:

ROBERT I. SAMUELSON GEORGE M. BIXLER PAUL ROLAND

SECTION 11. As members of the Parks Board, the Council appoints:

RICHARD E. LAHR BARBARA E. O'LAUGHLIN

SECTION 12. As members of the Public Works Board, the Council appoints:

THOMAS O. HALE DONALD R. HUDSON

SECTION 13. As a member of the Transportation Board, the Council appoints:

WILLIAM WAYNE BURKING

SECTION 14. As members of the Board of Zoning Appeals I, the Council appoints:

JOANNA WALKER RICHARD T. HUNTER

SECTION 15. As members of the Board of Zoning Appeals II, the Council appoints:

JOHN C. FULLER ROBERT O'BRIEN

SECTION 16. As members of the Board of Zoning Appeals III, the Council appoints:

STEVE H. BRIZENDINE BILL LOCEY

SECTION 17. The foregoing appointments shall each be for terms of one (1) year beginning upon passage of this proposal, at the pleasure of the Council, and until their respective successors are appointed.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 2, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the leasing of surplus property through the Parks Department"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 3, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of Chesapeake Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 4, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing weight limit restrictions on a portion of Shanghai Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 5, 1985. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Northgate and Crittenden Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 6, 1985. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishes intersection controls at East 56th Street and the entrance to Cathedral High School"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 21, 1985. Introduced by Councillors Gilmer and SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning activities in the right-of-way"; and the President referred it to the Transportation Committee. Councillor Gilmer also announced that the first committee meeting on this proposal would be held January 16, 1985, at 5:00 p.m. in Room 260 of the City-County Building.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 7, 1985. This proposal is a final bond ordinance authorizing the issuance of a maximum amount of \$48,000,000 Economic Development Revenue Bonds for Symphony Tower, an Indiana Limited Partnership. Councillor Schneider reviewed the project as the acquisition, construction and equipping of a mixed use facility consisting of a forty-one story building, containing 380 multi-family residential rental units which will also include 36,644 square foot of commercial/retail space at the ground and first floor above street levels plus approximately 704 parking spaces. The site is bounded by Court Street on the south, Pennsylvania Street on the east, Churchill' restaurant on the north and Scioto Street on the west. Bond financing contains the following documents: Loan Agreement, Indenture, Placement Agreement with The First Boston Corporation, Inducement Letter, Regulatory Agreement and Private Placement Memorandum. Individual Bonds will be in amounts of \$100,000 and higher, will mature on July 1, 1997, and bear interest payable initially on July 1, 1985. The interest rate will be approximately 10.2% after July 1, 1985, however, the ordinance authorizes a maximum interest rate of 15% to allow for flexibility in marketing the bonds. The Economic Development Committee on January 7, 1985, recommended Proposal No. 7, 1985, Do Pass by a vote of 5-0. Councillor Rhodes, an employee of Build America Government Securities, disclosed his interest and did not participate in any of the Council proceedings involving Proposal No. 7, 1985. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 7, 1985, was adopted on the following roll call vote; viz:

26 YEAS: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Borst, McGrath, Rhodes*

Proposal No. 7, 1985, was retitled SPECIAL ORDINANCE NO. 1, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1985

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana authorizing the issuance and sale of one or more series of revenue bonds in the aggregate principal amount not to exceed Forty-eight Million Dollars (\$48,000,000) and the loaning of the proceeds derived therefrom to Symphony Tower, an Indiana Limited Partnership to finance the costs of construction of an economic development facility.

WHEREAS, the City of Indianapolis, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of Indiana Code Sections 36-7-12-1 through 36-7-12-38, inclusive, as amended (hereinafter called the "Act"), is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make direct loans to users for the cost of acquisition construction and equipping of economic development facilities to promote the general welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of acquisition or renovation of such economic development facilities, including engineering, legal fees and all other expenses relating thereto during construction, including the costs of issuing the bonds, and to secure said bonds pursuant to a Loan Agreement (the "Loan Agreement") dated as of January 1, 1985 by and among the City, Symphony Tower, an Indiana limited partnership (the "Owner"), and the Trust Indenture (the "Indenture") dated as of January 1, 1985 by and between the City and Midwest Commerce Banking Company, as trustee (the "Trustee"); and

WHEREAS, the Owner is an Indiana limited partnership duly organized and existing under the laws of the State of Indiana, having its principal place of business in the City of Indianapolis; and

WHEREAS, the Owner has agreed to acquire, construct, install and equip a mixed-use facility consisting of approximately 380 units of multi-family housing, 704 parking spaces and 36,644 square feet of commercial space located at 18 N. Pennsylvania Street through 42 N. Pennsylvania Street (the "Project") within the City and thereby assist in providing for the increased general economic welfare in and near the area of the City and has agreed to make payments pursuant to the Loan Agreement evidencing its loan obligations in an amount or amounts designed to be sufficient to pay the principal of, premium, if any, and interest on one or more series of the City's Economic Development Revenue Bonds (Symphony Tower Project) Series 1985 (the "Bonds"); and

WHEREAS, the City-County Council of Indianapolis and of Marion County, Indiana (the "City-County Council") has heretofore, by Ordinance and pursuant to the Act, created the Indianapolis Economic Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that the economic welfare of the City would be benefited by financing the acquisition of the Project for and on behalf of the Owner; and

WHEREAS, the Commission has approved a report and an amended report estimating the public services which would be made necessary or desirable, the expense thereof, the number of residential units developed for use on account of the acquisition of the Project and the cost of the Project and has submitted such report and amended report to the Presiding Officer of the Metropolitan Development Commission of Marion County, Indiana, and, if required by the Act, to the Superintendent of the school corporation where the facilities will be located; and

WHEREAS, after giving notice in accordance with the Act, the Commission held on January 7, 1985 a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the purposes and provisions of the Act, approving the financing and approving the form and terms of the Bonds proposed to be issued by the City for the purpose of funding a loan from the City to the Owner to fund the cost of acquisition, construction and equipping of the Project to pay certain costs of issuance and to fund certain reserve funds, and approving drafts of the forms of financing documents in connection therewith (the "Financing Documents"), two copies of which resolution and Financing Documents and information pertaining to the proposed financing have been transmitted to the City-County Council by the Secretary of the Commission all of which are on file in the office of the Clerk of the City-County Council for public inspection; and

WHEREAS, pursuant to the Act, the City-County Council adopted on September 10, 1984 a resolution finding that the proposed financing of the acquisition and construction of such economic development facilities by the Owner will be of benefit to the general welfare of the City, approving the proposed financing and authorizing the issuance by the City of its bonds, upon adoption by the City of a Bond Ordinance, payable solely from the sources, having such terms and provisions and secured as provided by the Indenture and the Loan Agreement; and

WHEREAS, there have been presented to this meeting the following documents which the City proposes to enter into or accept to effectuate the proposed issuance of the Bonds:

1. The form of Loan Agreement;
2. The form of Indenture which sets forth the terms of the Bonds (including, without limitation, the maturity dates, rates of interest and redemption provisions) and the conditions and security for the Bonds;
3. The form of Placement Agreement (the "Purchase Agreement") between the City and The First Boston Corporation (the "Placement Agent");
4. The form of Inducement Letter (the "Inducement Letter") from the general partners of the Owner to the City and the Placement Agent;
5. The form of Regulatory Agreement (the "Regulatory Agreement") among the City, the Owner, the Trustee and the Compliance Agent (hereinafter identified);
6. The form of Private Placement Memorandum relating to the Bonds (the "Private Placement Memorandum");
7. The form of the Bonds, as set forth in the Indenture; and

WHEREAS, it appears that each of the instruments above referred to, which are now before the City, is in appropriate form and is an appropriate instrument for the purposes intended; now, therefore:

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

SECTION 1. Public Benefits. The City-County Council of Indianapolis and of Marion County, Indiana hereby finds and determines that the real estate, interests in real estate, other improvements thereon and other machinery and equipment to be acquired and constructed with the proceeds of the Bonds herein authorized are "economic development facilities" as that phrase is used in the Act and that the construc-

tion and equipping of the Project will improve and promote the economic stability, development and the general welfare of the area in and near the City, and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new economic facilities in such area.

SECTION 2. Findings. The City-County Council hereby finds that this Ordinance (the "Bond Ordinance") is of public benefit to the general welfare of the City by tending to overcome the deficiencies previously found to exist and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act) which will be required by the Project and further that the proposed financing will be of benefit to the welfare of the City and complies with the purposes and provisions of the Act.

SECTION 3. Authorization of Bonds.

(A) In order to provide for the financing of the Project, the Bonds are hereby authorized to be issued in one or more series in the total principal amount of not to exceed \$48,000,000, in accordance with the terms of the Indenture. The Bonds shall be issued in any denomination or denominations authorized by terms of the Indenture, shall be numbered consecutively from one (1) upwards and shall be typewritten, photo-offset, printed or any combination of the foregoing.

(B) The Bonds shall be issued in fully registered form without coupons, shall be dated as of their date of first authentication and delivery, except as otherwise provided in the Indenture, and shall mature on July 1, 1997 and bear interest payable on July 1, 1985 at a rate not to exceed 15% per annum, and thereafter at the times and at the variable or fixed rate established as provided therein and in the Indenture, provided that the interest rate shall not exceed a maximum rate of 15% per annum.

(C) The Bonds shall be subject to redemption prior to maturity and to purchase upon the demand of the owners thereof as provided therein and in the Indenture.

(D) The Mayor is hereby authorized to execute, by manual or facsimile signature, each of the Bonds in the name of the City in the manner provided by the Indenture. The Clerk of the City-County Council is hereby authorized to affix the corporate seal of the City to each of the Bonds or to impress the corporate seal thereon or to provide for the engraving or other reproduction of the corporate seal on each Bond and to attest, by manual or facsimile signature, to such affixing, imprinting, engraving or other reproduction of the corporate seal, all as provided in the Indenture.

SECTION 4. Obligation of Bonds.

(A) The Bonds shall be limited obligations of the City payable solely from certain payments and other amounts due pursuant to the Loan Agreement and from other moneys available to the Trustee under the Indenture, including a debt service reserve fund, if any.

(B) Each Bond shall contain thereon a statement substantially as follows: The Bonds are issued pursuant to and in full compliance with the Constitution and laws of the State of Indiana, particularly Indiana Code Section 36-7-12-1 et seq., as amended and pursuant to an ordinance adopted by the City which authorizes the execution and delivery of the Indenture. The Bonds and the interest thereon are limited obligations of the City and are payable solely from payments and other amounts due pursuant to the Loan Agreement. The Bonds are not in any respect a general obligation of the City and are not payable in any manner from revenues raised by taxation. The Bonds shall never constitute an indebtedness of the City or the State of Indiana or within the meaning of any constitutional or statutory provision but shall be payable solely from the revenues pledged therefor.

(C) Neither the City-County Council of the City or the Indianapolis Economic Development Commission (including the members of either or both) nor any person executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance of the Bonds.

SECTION 5. Execution and Delivery of the Indenture, the Loan Agreement, the Regulatory Agreement and the Inducement Letter. The Indenture, the Loan Agreement, the Regulatory Agreement and the Inducement Letter are hereby approved in the forms presented to this meeting with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission is such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11) inclusively. The Mayor, and Clerk with respect to the Indenture, Loan Agreement and Regulatory Agreement, are hereby authorized to execute, acknowledge and deliver the same on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions), and the Clerk of the City-County Council is hereby authorized to impress, imprint or otherwise affix the corporate seal of the City to the Indenture, the Loan Agreement, the Regulatory Agreement and the Inducement Letter.

SECTION 6. Sale of Bonds. The Bonds shall be sold to the purchasers thereof at a price of one hundred per centum (100%) of par value on the terms and conditions set forth in the Placement Agreement submitted to this meeting, with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11) inclusively. The Mayor is hereby authorized to execute and deliver the Placement Agreement on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions), and the Clerk of the City-County Council is hereby authorized to impress, imprint or otherwise affix the corporate seal of the City to said document and attest to the impressing, imprinting or otherwise affixing of the corporate seal to said document. The proceeds of the sale of the Bonds shall be applied as provided in the Indenture.

SECTION 7. Private Placement Memorandum. The Private Placement Memorandum of the City relating to the Bonds is hereby approved in the form presented to this meeting with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11) inclusively. The Mayor is hereby authorized to execute and deliver the Private Placement Memorandum on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions). The Placement Agent is hereby authorized to distribute the Private Placement Memorandum to prospective purchasers of the Bonds and any such distribution made prior to the passage of this Bond Ordinance is hereby ratified and approved.

SECTION 8. Appointment of Remarketing Agent; Indexing Agent; Registrar and Compliance Agent. The First Boston Corporation is hereby appointed to serve as the initial Remarketing Agent, The First Boston Corporation is hereby appointed to serve as the initial Indexing Agent and The Bank of New York is hereby appointed to serve as the initial Registrar. The Mayor is authorized to approve the appointment of any other agents, including the initial Compliance Agent under the Indenture, who may be required or desirable to complete the transactions contemplated or necessary by the issuance or reoffering of the Bonds.

SECTION 9. Authorization for Financing. The Trustee is hereby authorized to provide permanent financing for the Project under the terms of the Loan Agreement as provided in the Indenture.

SECTION 10. Effect of Agreements.

(A) All covenants, stipulations, obligations and agreements of the City contained in this Bond Ordinance and contained in each of the agreements or other documents authorized by this Bond Ordinance shall be deemed to be the covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and such covenants, stipulations, obligations and agreements shall be binding upon the City and its successors from time to time and upon any body to which any powers or duties affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Bond Ordinance, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this Bond Ordinance, and by each of the agreements or other documents authorized by this Bond Ordinance shall be exercised or performed by the City or by such officers, board or body as may be required by law to exercise such powers and to perform such duties.

(B) All covenants, stipulations, promises, agreements and obligations of the City contained herein and in each of the agreements and other documents authorized by this Bond Ordinance shall be deemed to be covenants, stipulations, promises, agreements and obligations of the City and not of any member, officer or employee of the City in his individual capacity.

SECTION 11. Further Authority. The Mayor and the Clerk of the City-County Council are hereby designated the authorized representatives of the City, and each of them is hereby authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do and cause to be done any and all acts and things necessary desirable or convenient for carrying out this Bond Ordinance, the agreements and other documents authorized by this Bond Ordinance and the issuance or reoffering of the Bonds.

SECTION 12. Repeal, Amendment and Modification of this Bond Ordinance. This Bond Ordinance shall be part of the contract with the owners from time to time of the Bonds and from and after the delivery of the Bonds shall not be repealed, amended or modified except to the extent and in the manner permitted for supplemental agreements to the Indenture.

SECTION 13. Effective Date and Repeal of Conflicting Ordinances or Resolutions. This Bond Ordinance shall take effect and be in full force and effect immediately upon adoption and compliance with IC 36-3-4-14. All ordinances or resolutions inconsistent with this Bond Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 14. Severability. If any provision of this Bond Ordinance shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever; provided however, that if the limitation on the source of revenues to pay principal, interest and premium, if any, on the Bonds is held invalid, the Issuer shall have no obligation to pay the Bonds from other sources.

PROPOSAL NOS. 8-10, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on December 20, 1984". No action was taken by the Council; and the proposals were deemed adopted. Proposal Nos. 8-10, 1985, were retitled REZONING ORDINANCE NOS. 1-3, 1985, and read as follows:

**REZONING ORDINANCE NO. 1, 1985 84-Z-171B WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
4310 EAST 62ND STREET, INDIANAPOLIS**
Pickwick Investment Company, by John W. Tousley, requests a rezoning of 2.04 acres, being in the SU-18 and A-2 districts, to the C-3 classification, to provide for the construction of a neighborhood retail center.

**REZONING ORDINANCE NO. 2, 1985 84-Z-192 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
1420 EAST 86TH STREET, INDIANAPOLIS**
Burger Chef Systems, Inc., by William F. LeMond, requests the rezoning of 11.29 acres, being in the D-2, C-3 and C-4 districts, to the C-3 classification, to provide for the reconstruction of a new retail commercial center.

**REZONING ORDINANCE NO. 3, 1985 84-Z-200 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
4650 SHADELAND AVENUE, INDIANAPOLIS**
Edward T. O'Meara, by James L. Tuohy, requests the rezoning of 12.16 acres, being in the D-4 district, to the SU-1 classification, to conform zoning to its use as a church, school, rectory, convent and recreational facilities and to permit construction of a new church.

PROPOSAL NOS. 11-17, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 3, 1985". No action was taken by the Council and the proposals were deemed adopted. Proposal Nos. 11-17, 1985, were retitled REZONING ORDINANCE NOS. 4-10, 1985, and read as follows:

**REZONING ORDINANCE NO. 4, 1985 84-Z-199 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18
1149 SOUTH LYNHURST DRIVE, INDIANAPOLIS**
Wake Up Oil Company, Inc., by William A. Freihofer, requests the rezoning of 0.99 acres, being in the D-3 district, to the C-3 classification, to provide for the removal of existing improvements and the construction of a service station and convenience food market.

**REZONING ORDINANCE NO. 5, 1985 84-Z-207 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
11220 EAST 30TH STREET, INDIANAPOLIS**
The Church of Jesus Christ of Latter Day Saints, by Richard C. Baier, requests the rezoning of 2.5 acres, being in the A-2 district, to the SU-1 classification, to provide for the construction of a church.

**REZONING ORDINANCE NO. 6, 1985 84-Z-208 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
8531 BASH STREET (REAR), INDIANAPOLIS**
Bee Development, by Michael C. Cook, requests the rezoning of 1.60 acres, being in the SU-41 district, to the I-3-S district, to provide for industrial development.

**REZONING ORDINANCE NO. 7, 1985 84-Z-209 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
4936 REDFERN AVENUE, INDIANAPOLIS**

Robert De Vaan, by Stephen A. Harlow, requests the rezoning of 3.41 acres, being in the D-4 and C-4 districts, to the C-6 classification, to provide for the construction of a budget motel.

**REZONING ORDINANCE NO. 8, 1985 84-Z-212 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
3120 MADISON AVENUE, INDIANAPOLIS**

Joseph Caito, et al, by William F. LeMond, request the rezoning of 3.54 acres, being in the D-3 and C-5 districts, to the C-S classification, to provide for the construction of mini-warehouses including a resident manager.

**REZONING ORDINANCE NO. 9, 1985 84-Z-213 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12
9401 EAST 25th STREET, INDIANAPOLIS**

First Church of the Nazarene, by Louis H. Borgmann, requests the rezoning of 27.17 acres, being in the A-2 and D-4 districts, to the SU-1 classification, to provide for the construction of a church.

**REZONING ORDINANCE NO. 10, 1985 85-Z-4 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
711 EAST WASHINGTON STREET, INDIANAPOLIS**

Metropolitan Development Commission requests the rezoning of 4.44 acres, being in the C-5 and I-3-U districts, to the SU-7 classification, to provide for the relocation of a charitable and philanthropic institution.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 661, 1984. This proposal appropriates \$404,284 for Superior Court, Criminal and Juvenile Divisions for the payment of public defenders. Councillor Dowden stated that this proposal rearranges the method of payment of public defenders in the six criminal courts and the Juvenile Court. Instead of being paid from Character 01, Personal Services, the public defenders will be paid out of Character 03, Other Services and Charges. The Public Safety and Criminal Justice Committee on December 12, 1984, recommended Proposal No. 661, 1984, Do Pass As Amended by a vote of 5-0. The amendment changed the effective date to be retroactive to January 1, 1985. The President called for public testimony at 7:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 661, 1984, as amended, was adopted on the following roll call vote; viz:

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

Stewart, Strader, West
 NO NAYS
 1 NOT VOTING: Rhodes

Proposal No. 661, 1984, as amended, was retitled FISCAL ORDINANCE NO. 1, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Four Hundred Four Thousand Two Hundred Eighty-four Dollars (\$404,284) in the County General Fund for purposes of the Superior Court, Criminal and Juvenile Divisions and reducing certain other appropriations for these divisions and 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 2.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds for the payment of Public Defenders in Contractual Services.

SECTION 2. The sum of Four Hundred Four Thousand Two Hundred Eighty-four Dollars (\$404,284) 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:

CRIMINAL DIVISION - ROOM 1	COUNTY GENERAL FUND
3. Other Services & Charges	\$52,464
CRIMINAL DIVISION - ROOM 2	
3. Other Services & Charges	65,580
CRIMINAL DIVISION - ROOM 3	
3. Other Services & Charges	65,580
CRIMINAL DIVISION - ROOM 4	
3. Other Services & Charges	65,580
CRIMINAL DIVISION - ROOM 5	
3. Other Services & Charges	65,580
CRIMINAL DIVISION - ROOM 6	
3. Other Services & Charges	65,580
JUVENILE DIVISION	
3. Other Services & Charges	23,920
TOTAL INCREASE	\$404,284

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

CRIMINAL DIVISION - ROOM 1	COUNTY GENERAL FUND
1. Personal Services	\$52,298
CRIMINAL DIVISION - ROOM 2	
1. Personal Services	65,569
CRIMINAL DIVISION - ROOM 3	
1. Personal Services	60,980
CRIMINAL DIVISION - ROOM 4	
1. Personal Services	64,078
CRIMINAL DIVISION - ROOM 5	
1. Personal Services	65,560

CRIMINAL DIVISION - ROOM 6

1. Personal Services 64,038

JUVENILE DIVISION

1. Personal Services 23,920

MARION COUNTY AUDITOR

1. Personal Services (Fringes) \$ 7,841

TOTAL REDUCTION \$404,284

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(7) SUPERIOR COURT - CRIMINAL DIVISION - ROOM ONE - Dept. 51

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,111	17,111
Court Reporters	2	17,804	35,608
Bailiffs	2	14,543	29,086
Chief Clerk	1	16,406	16,406
Record Clerk	1	13,835	13,835
Master Commissioner	1	19,185	19,185
Secretary	1	14,539	14,539
Public Defenders	5 <u>1</u>	13,082	65,414 <u>13,113</u>
Clerk	1	12,824	12,824
TOTAL	17 <u>11</u>		192,405 <u>171,707</u>

(8) SUPERIOR COURT - CRIMINAL DIVISION - ROOM TWO - Dept. 52

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,845	35,691
Bailiffs	2	15,088	29,156
Chief Clerk	1	15,984	15,984
Secretary	1	15,073	15,073
Record Clerk	1	13,899	13,899
Clerk	1	12,840	12,840
Master Commissioner	1	19,232	19,232
Public Defenders	5 <u>0</u>	13,113 <u>0</u>	65,565 <u>0</u>
Temporary Part-time	<u>1</u>	1,561	<u>1,561</u>
TOTAL	17 <u>10</u>		236,458 <u>160,589</u>

(9) SUPERIOR COURT - CRIMINAL DIVISION - ROOM THREE - Dept. 41

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,845	35,690
Bailiffs	2	16,538	29,152

Chief Clerk	1	16,922	16,922
Record Clerks	2	12,900	25,800
Master Commissioner	1	19,232	19,232
Secretary	1	14,574	14,574
Grand Jury Bailiff	1	8,938	8,938
Personnel	0	0	0
Temporary Salaries			2,000

TOTAL 11 169,461

(10) SUPERIOR COURT - CRIMINAL DIVISION - ROOM FOUR - Dept. 42

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Court Reporters	2	17,845	35,690
Bailiffs	2	15,364	29,150
Chief Clerk	1	15,431	15,431
Record Clerk	1	15,145	15,145
Clerk	1	12,146	12,146
Secretary	1	14,573	14,573
Master Commissioner	1	19,229	19,229
Personnel	0	0	0
Judge	1	17,153	17,153
Temporary Salaries			1,793

TOTAL 10 160,310

(11) SUPERIOR COURT - CRIMINAL DIVISION - ROOM FIVE - Dept. 61

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Bailiffs	2	14,871	29,170
Court Reporters	2	17,846	35,692
Chief Clerk	1	16,921	16,921
Record Clerk	1	12,312	12,312
Court Clerk	1	12,312	12,312
Secretary	1	14,573	14,573
Master Commissioner	1	19,231	19,231
Personnel	0	0	0
Temporary			2,000

TOTAL 10 159,364

(12) SUPERIOR COURT - CRIMINAL DIVISION - ROOM SIX - Dept. 62

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Court Reporters	2	17,844	35,688
Secretary	1	15,614	15,614

Bailiffs	2	14,577	28,097
Clerks	3	15,389	43,656
Master Commissioner	1	19,230	19,230
Temporary Salaries			1,093
PROBATION OFFICERS	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>10</u>	<u>49,196</u>	<u>160,531</u>

(4) SUPERIOR COURT - JUVENILE DIVISION - Dept. 65
County General Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Administrators	3	36,698	87,231
Managers	14	25,643	295,580
Secretaries	4	13,734	49,730
Computer Operators	4	15,000	52,087
Clerk-Typists	15	12,668	109,923
Referees	4	31,648	96,948
Court Reporters	6	21,708	125,181
Bailiffs	7	16,024	92,245
Probation	61	23,504	909,337
Professional Staff	<u>3</u>	<u>29,226</u>	<u>110,499</u>
Maintenance Staff	8	13,009	69,798
Jury Per Diem			8,160
Temporary Help			12,852
Vacancy Factor			<u>(170,251)</u>
TOTAL	<u>130</u>	<u>1,860,000</u>	<u>1,836,986</u>

SECTION 6. This ordinance shall be in full force and effect retroactive to January 1, 1985 upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 523, 1984. This proposal changes intersection controls at Cleveland Street and Miami Street. Councillor Gilmer explained that Proposal No. 523, is no longer needed, because Miami Street has been vacated. The Transportation Committee on December 19, 1984, recommended Proposal No. 523, 1984, to be stricken. Consent was given.

PROPOSAL NOS. 613, 665, 666, 667, 668, and 669, 1984. Councillor Gilmer stated that the Transportation Committee on December 19, 1984, recommended Proposal Nos. 613, 665, 666, 667, 668 and 669, 1984, Do Pass by a vote of 4-0.

PROPOSAL NO. 613, 1984, changes weight limit controls on a portion of Hoyt Avenue. PROPOSAL NO. 665, 1984, changes intersection controls at Tacoma Avenue and McLeay Drive. PROPOSAL NO. 666, 1984, changes intersection controls at various intersections. PROPOSAL NO. 667, 1984, changes parking controls on a portion of 13th Avenue. PROPOSAL NO. 668, 1984, changes parking controls on a portion of 46th Street. PROPOSAL NO. 669, 1984, changes speed limit controls on portions of 42nd Street. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal Nos. 613, 665, 666, 667, 668, and 669, 1984, were adopted on the following roll call vote; viz:

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

NO NAYS

Proposal Nos. 613, 665, 666, 667, 668, and 669, 1984, were retitled GENERAL ORDINANCE NOS. 1-6, 1985, consecutively and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 1, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

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 29-224, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Hoyt Avenue, from Sherman Drive to Grant Avenue

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. 2, 1985

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>
11, Pg. 9	McLeay Dr. & Tacoma Ave.	McLeay Dr.	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>
	McLeay Dr. & Tacoma Ave.	NONE	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. 3, 1985

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>
19, Pg. 1	Aberdeen Cir. & Marrison Pl.	NONE	NONE
19, Pg. 1	Andover Rd. & Staughton Dr.	NONE	NONE
19, Pg. 1	Andover Rd. & Thornleigh Dr.	NONE	NONE
40, Pg. 1	Arlington Ave. & Edgewood Ave.	Arlington Ave.	SIGNAL
19, Pg. 3	Berkshire Le. & Berkshire Rd.	NONE	NONE
19, Pg. 3	Berkshire Rd. & Burnleigh Cir.	NONE	NONE
19, Pg. 3	Berkshire Rd. & Devon Dr.	NONE	NONE
19, Pg. 4	Brown Rd. & Staughton Dr.	NONE	NONE
12, Pg. 2	Chatham Pl. & Winston Dr.	NONE	NONE
2, Pg. 1	Clayburn Dr. & Deerview Dr.	Deerview Dr.	STOP
12, Pg. 3	Derby Le. & Dickson Rd.	NONE	NONE
19, Pg. 6	Derby Le. & Radnor Rd.	NONE	NONE
19, Pg. 6	Devon Lake Rd. & Sharon Le.	NONE	NONE
19, Pg. 6	Dickson Rd. & Dundee Cir.	NONE	NONE

19, Pg. 6	Dickson Rd. & Laurel Cir.	NONE	NONE
19, Pg. 6	Dickson Rd. & Winston Dr.	NONE	NONE
30, Pg. 3	S. Dukane Wy. & Dunn Wy.	S. Dukane Wy.	YIELD
19, Pg. 10	Laural Cir. & Radnor Rd.	NONE	NONE
19, Pg. 10	Laural Cir. & Staughton Dr.	NONE	NONE
19, Pg. 10	Laural Cir. & Thornleigh Dr.	NONE	NONE
19, Pg. 10	Linton Le. & Marrison Pl.	NONE	NONE
19, Pg. 10	Linton Le. & Thornleigh Rd.	NONE	NONE
12, Pg. 7	Wexford Rd. & Winston Dr.	NONE	NONE
32, Pg. 7	Dawson St. & Lawton Av.	Dawson St.	YIELD
3, Pg. 2	Ditch Rd. & W. 75th Pl.	NONE	NONE
3, Pg. 2	Ditch Rd. & W. 76th Pl.	NONE	NONE
3, Pg. 2	Ditch Rd. & Minturn Le.	NONE	NONE
26, Pg. 18	N. Sheridan Av. & St. Joseph St.	NONE	NONE
22, Pg. 1	Beckford Dr. & Lansdowne Rd.	NONE	NONE
19, Pg. 6	Dickson Rd. & Winston Dr.	NONE	NONE
27, Pg. 2	Carroll White Dr. & E. 15th St.	NONE	NONE
27, Pg. 5	N. Huber St. & Wellington Av.	NONE	NONE
27, Pg. 5	N. Huber St. & E. 13th St.	NONE	NONE
27, Pg. 5	N. Huber St. & E. 14th St.	NONE	NONE
27, Pg. 5	N. Huber St. & E. 15th St.	NONE	NONE
27, Pg. 6	Old Washington & Rosemere Av.	NONE	NONE
28, Pg. 3	Old Washington & Whittfield St.	NONE	NONE
27, Pg. 4	S. Galeston Av. & Old Washington	S. Galeston Av.	STOP
27, Pg. 2	S. Brentwood Av. & Old Washington	NONE	NONE
27, Pg. 2	S. Brentwood Av. & E. Washington St.	E. Washington St.	STOP
27, Pg. 2	E. Washington St. & Rosemere Av. & E. Washington St.	E. Washington St.	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>
19, Pg. 1	Aberdeen Cir. & Marrison Pl.	Marrison Pl.	YIELD
19, Pg. 1	Andover Rd. & Staughton Dr.	Andover Rd.	STOP
19, Pg. 1	Andover Rd. & Thornleigh Dr.	Thornleigh Rd.	STOP
40, Pg. 1	Arlington Ave. & Edgewood Ave.		4-WAY STOP
19, Pg. 3	Berkshire Le. & Berkshire Rd.	Berkshire Rd.	STOP
19, Pg. 3	Berkshire Rd. & Burnleigh Cir.	Berkshire Rd.	YIELD
19, Pg. 3	Berkshire Rd. & Devon Dr.	Berkshire Rd.	STOP
19, Pg. 4	Brown Rd. & Staughton Dr.	Staughton Dr.	STOP
12, Pg. 2	Chatham Pl. & Winston Dr.	Winston Dr.	YIELD
2, Pg. 1	Clayburn Dr. & Deerview Dr.	Clayburn Dr.	STOP
12, Pg. 3	Derby Le. & Dickson Rd.	Dickson Rd.	STOP
19, Pg. 6	Derby Le. & Radnor Rd.	Radnor Rd.	STOP
19, Pg. 6	Devon Lake Rd. & Sharon Le.	Devon Lake Rd.	YIELD
19, Pg. 6	Dickson Rd. & Winston Dr.	Dickson Rd.	STOP
19, Pg. 6	Dickson Rd. & Dundee Cir.	Dickson Rd.	STOP
19, Pg. 6	Dickson Rd. & Laurel Cir.	Laurel Cir.	STOP
3, Pg. 2	Double Tree Blvd. & Michigan Rd.	Michigan Rd.	STOP
30, Pg. 3	Dukane Wy. & Dunn Wy.	Dukane Wy.	STOP
19, Pg. 10	Laurel Cir. & Radnor Rd.	Laurel Cir.	STOP
19, Pg. 10	Laurel Cir. & Staughton Dr.	Laurel Cir.	STOP
19, Pg. 10	Laurel Cir. & Thornleigh Dr.	Laurel Cir.	STOP
19, Pg. 10	Linton Le. & Marrison Pl.	Linton Le.	STOP
19, Pg. 10	Linton Le. & Thornleigh Rd.	Thornleigh Rd.	STOP
12, Pg. 7	Wexford Rd. & Winston Dr.	Winston Dr.	YIELD
32, Pg. 7	Dawson St. & Lawton Av.	Dawson St.	STOP
3, Pg. 2	Ditch Rd. & 75th Pl.	Ditch Rd.	STOP
3, Pg. 2	Ditch Rd. & 76th Pl.	Ditch Rd.	STOP
3, Pg. 2	Ditch Rd. & Minturn Le.	Ditch Rd.	STOP

40, Pg. 3	Hill Rise Dr. & Whirlaway Dr.	Rhirlaway Dr.	STOP
26, Pg. 18	Sheridan Av. & St. Joseph St.	Sheridan Av.	STOP
26, Pg. 18	Sheridan Av. & 9th St.	9th St.	STOP
22, Pg. 1	Beckford Dr. & Lansdowne Rd.	Beckford Dr.	STOP
22, Pg. 1	Beckford Dr. & Richie Av.	Beckford Dr.	STOP
27, Pg. 2	Carroll White Dr. & 15th St.	Carroll White Dr.	STOP
27, Pg. 5	Huber St. & Wellington Dr.	Wellington Dr.	STOP
27, Pg. 5	Huber St. & 13th St.	Huber St.	STOP
27, Pg. 5	Huber St. & 14th St.	Huber St.	STOP
27, Pg. 5	Huber St. & 15th St.	Huber St.	STOP
27, Pg. 8	Wellington Av. & 16th St.	16th St.	STOP
27, Pg. 8	Wellington Av. & 16th St. Access Dr.	NONE	NONE
27, Pg. 7	Rosemere Av. & Washington St. Access Dr.	Wash St. Access Dr.	STOP
28, Pg. 3	Washington St. Access Dr. & Wittfield St.	Wittfield St.	STOP
27, Pg. 4	Galeston Av. & Washington St. Access Dr.	Galeston Av.	STOP
27, Pg. 2	Brentwood Av. & Washington St. Access Dr.	NONE	NONE

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. 4, 1985

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", specifically, 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:

13th Avenue, both sides, from Albany Street to Churchman Avenue;

Churchman Avenue, both sides, from 13th Avenue to Emerson Avenue.

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. 5, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Forty-sixth Street, on both sides, from College Avenue to the east city limits;

Forty-sixth Street, on both sides, from Keystone Avenue to the east city limits;

Forty-sixth Street, on the north side, from Boulevard Place to the Monon Railroad;

Forty-sixth Street, on the north side, from Keystone Avenue to Evanston Avenue;

Forty-sixth Street, on the north side, from the Monon Railroad to Primrose Avenue.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Forty-sixth Street, on both sides, from Boulevard Place to First Alley east of College;

Forty-sixth Street, on both sides, from Erie Avenue to Woodcroft Avenue.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY

From 6:00 a.m. to 9:00 a.m. and

From 3:00 p.m. to 6:00 p.m.

Forty-sixth Street, on both sides, from College Avenue to Keystone Avenue

**ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS**

From 4:00 p.m. to 6:00 p.m.

Forty-sixth Street, on the north side, from Primrose Avenue to Caroline Avenue

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS**

From 6:00 a.m. to 9:00 a.m. and

From 3:00 p.m. to 6:00 p.m.

Forty-sixth Street, on both sides, from the First Alley east of College to Erie Avenue.

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

CITY-COUNTY GENERAL ORDINANCE NO. 6, 1985

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

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

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

Forty-second Street, from Pendleton Pike to Newburgh Drive, 35 MPH; and

Forty-second Street, from Newburgh Drive to County Line Road, 40 MPH.

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

PROPOSAL NO. 662, 1984. This proposal transfers \$136,420 for the Marion County Sheriff to amend the salary schedule and health service program in accordance with the F.O.P. contract. Councillor Dowden pointed out that the 1985 budget included a 4% increase for each employee and the recent F.O.P. contract provided for a \$1,000 increase across-the-board which is approximately a 4.8% increase. During the meeting, the committee changed the effect date to be retroactive to January 1, 1985. They also reduced the maximum number of Sergeants from 95 to 94, increased the maximum number of Lieutenants from 31 to 32 and made salary changes accordingly. The Public Safety and Criminal Justice Committee on December 12, 1984, recommended Proposal No. 662, 1984, Do Pass As Amended by a vote of 6-0. Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 662, 1984, as amended, was adopted on the following roll call vote; viz:

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

NO NAYS

Proposal No. 662, 1984, as amended, was retitled FISCAL ORDINANCE NO. 2, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Hundred Thirty-six Thousand Four Hundred Twenty Dollars (\$136,420) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(7) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to amend the salary schedule and health services program in accordance with the F.O.P. contract.

SECTION 2. The sum of One Hundred Thirty-six Thousand Four Hundred Twenty Dollars (\$136,420) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$136,420</u>
TOTAL INCREASE	\$136,420

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

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
1. Personal Services	\$ 97,220
2. Supplies	<u>39,200</u>
TOTAL REDUCTION	\$136,420

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

(7) COUNTY SHERIFF - Dept. 18

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Sheriff	1	20,750	20,750
Executive Officer	1	37,500 37,500	37,500 37,500
Deputy Chief	5	35,500 35,500	177,500 177,500
Major	5	30,500 30,500	152,500 152,500
Captain	11	25,828 25,828	284,108 284,108
Lieutenant	31 32	24,173 24,173	773,536 773,536
Sergeant	94 94	23,015 23,015	2,163,410 2,163,410
Corporal	51	22,104 22,104	1,127,304 1,127,304
Deputy 3rd Year	250	21,610 21,610	5,402,500 5,402,500
First Deputy	1	31,990	31,990
Admin. Assistant	1	24,437	24,437
Major (Spec. Deputy)	1	21,695	21,695
Captain (Spec. Deputy)	1	19,388	19,388

Lieutenant (Spec. Deputy)	2	17,808	35,616
Sergeant (Spec. Deputy)	9	15,720	141,480
Deputy (Spec. Deputy)	34	13,979	475,286
Correct. Officer 2nd yr.	37	17,160	628,000
Correct. Officer 1st yr.	71	16,120	1,144,520
Crime Watch Coordinator	1	16,758	16,758
Chaplain	2	18,564	36,118
Executive Secretary	2	17,472	29,629
Division Secretary	5	11,002	55,010
Clerk/Typist	35	14,120	359,460
Mechanic	9	19,388	159,750
Attendant	7	11,238	78,666
Merit Board			1,050
Reserve Salaries			700
Vacancy Factor			148827011 (483,859)
Temporary Salaries			50,000
Overtime & Shift Differential			2922224 345,309
Professional Salaries			701882 22,900
Clothing Allowance			36,000
Longevity			331,980
Educational Bonus			99,500
M.C.L.E. Pension			11921878 1,679,823
Insurance:			
Health			15081040 595,260
Life Insurance			<u>41,905</u>
TOTAL	668		118214685 <u>16,117,479</u>

SECTION 6. This ordinance shall be in full force and effect retroactive to January 1, 1985 and upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 663, 1984. This proposal increases pension benefits for certain employees of the Sheriff's Department. Councillor Dowden explained that benefits will increase because employees who choose to remain employed after they have served twenty years will receive another 2% for each year they remain on the Sheriff's Department. This will ultimately reduce training costs. The Public Safety and Criminal Justice Committee on December 12, 1984, recommended Proposal No. 663, 1984, Do Pass by a vote of 6-0. Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 663, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Cottingham

Proposal No. 663, 1984, was retitled GENERAL RESOLUTION NO. 1, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 1985

A GENERAL RESOLUTION increasing the maximum monthly pension payable to members of the Marion County Sheriff's Department in accordance with I.C. 36-8-10-12.

WHEREAS, the General Assembly of the State of Indiana, by the provision of P.L. 203-1984 amended I.C. 36-8-10-12, providing for the establishment operation, and funding of a pension trust for employees of sheriff's departments; and

WHEREAS, I.C. 36-8-10-12(j) permits, in counties where the fiscal body approves, an increase in the maximum monthly pension for an employee beneficiary who retires after December 31, 1984, up to a maximum of seventy-four percent (74%) plus twenty dollars (\$20.00) of the average monthly wage received during the highest paid five (5) years before the employee's retirement for each year of service over twenty (20) years; and

WHEREAS, the Marion County Law Enforcement Personnel Retirement Board, as the board responsible for administering the pension trust for the Marion County Sheriff's Department, has determined that it is in the best interests of the pension trust and of its beneficiaries to adopt the increases permitted by I.C. 36-8-10-12; and

WHEREAS, the Marion County Law Enforcement Personnel Retirement Board approved such an increase on May 21, 1984; and

WHEREAS, such an increase was made a part of the terms and conditions of the Agreement between the Sheriff of Marion County and Marion County, Indiana and members of the Fraternal Order of Police, Lodge No. 86, for the contract period January 1, 1985 through December 31, 1988; and

WHEREAS, the City-County Council of Indianapolis and of Marion County, Indiana, is the fiscal body which must approve any increases made pursuant to I.C. 36-8-10-12; 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 approves the increases in monthly pension benefits for employee beneficiaries retiring after December 31, 1984, in accordance with the provision of I.C. 36-8-10-12(j), as amended by P.L. 203-1984.

SECTION 2. The increases in monthly pension benefits for employee beneficiaries of the Marion County Sheriff's Department provided for by I.C. 36-8-10-12(i) are as follows:

For an employee beneficiary who retires before January 1, 1985, a monthly pension may not exceed by more than twenty dollars (\$20.00) one half (1/2) the amount of the average monthly wage received during the highest paid five (5) years before retirement. The maximum monthly pension for an employee beneficiary who retires after December 31, 1984, may be increased by no more

or no less than two percent (2%) of that average monthly wage for each year of service over twenty (20) years to a maximum of seventy-four percent (74%) of that average monthly wage plus twenty dollars (\$20.00).

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

SPECIAL SERVICE DISTRICT COUNCILS

POLICE SPECIAL SERVICE DISTRICT COUNCIL

The President called the Police Special Service District Council to order at 8:20 p.m. Twenty-nine members being present, he announced a quorum.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 664, 1984. This proposal amends benefits for members of the Police Force and classifies major as a non-merit rank. Councillor Dowden explained that the state statute dealing with sick leave recently expired and Proposal No. 664, 1984, outlines the sick leave regulations into a local ordinance. These agreements were made during the contract negotiations and will retain benefits for current employees of the force but will decrease benefits for new employees hired after January 1, 1985. The Committee during its meeting made some technical amendments which are reflected in the ordinance. The Public Safety and Criminal Justice Committee on December 12, 1984, recommended Proposal No. 664, 1984, Do Pass As Amended by a vote of 6-0. Councillor Dowden moved, seconded by Councillor Rader for adoption. Proposal No. 664, 1984, as amended, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: Clark, Durnil

Proposal No. 664, 1984, as amended, was retitled POLICE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE NO. 1, 1985, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE NO. 1, 1985

A GENERAL ORDINANCE OF THE POLICE SPECIAL SERVICE DISTRICT concerning leave for members of the Indianapolis Police Department.

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sec. 1 of Part I of Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the words underlined as follows:

Sec. 1. Holidays and compensation.

Because of the nature of the work of the Indianapolis police force, many officers therein in the regular rotation of their duties are required to work on the following holidays, when other citizens are free from the duties of their employment, to wit:

New Years Day	Thanksgiving Day
Decoration Day	Christmas Day
Labor Day	Easter Sunday
Independence Day	Washington's Birthday
Veterans Day	Discovery Day

Because of the pressures of police work and the around-the-clock requirements for those who are engaged in such work, it is deemed by this Police Special Service District Council that these days shall constitute bonus days, and they shall receive regular pay to compensate them for the services the entire police department must give on the foregoing holidays.

SECTION 2. Sec. 2 of Part I of Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the words underlined as follows:

Sec. 2. Annual leave.

(a) Each active member of the Indianapolis Police Department hired on or before December 31, 1984 shall receive hereafter not less than twenty-one (21) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided, that hereafter any active member of said police department hired on or before December 31, 1984, who shall have served from ten (10) years to twenty (20) years on said department shall receive not less than twenty-eight (28) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided further that any active member of said department hired on or before December 31, 1984, who shall have served for more than twenty (20) years shall be entitled to seven (7) additional consecutive calendar days' annual leave to be added to his regular annual leave. The time for such annual leave shall be subject to the approval of the Chief of the police force.

(b) Each active member of the Indianapolis Police Department hired after December 31, 1984, shall receive hereafter not less than fourteen (14) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided that hereafter any active member of said police department hired after December 31, 1984 who shall have served seven (7) continuous years but less than fifteen (15) continuous years on said department shall receive not less than twenty-one (21) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided further that any active member of said department hired after December 31, 1984, who shall have served fifteen (15) or more continuous years on said department shall receive not

less than twenty-eight (28) consecutive calendar days' annual leave. The time for such annual leave shall be subject to the approval of the Chief of the police force.

SECTION 3. Part I of Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by adding a new Section 4 to read as follows:

Sec. 4. Sick leave.

(a) Any active member of the police department hired on or before December 31, 1984, who is unable to perform the duties of his employment by reason of sickness, accident or injury, is entitled to not less than ninety (90) days sick leave with full pay or for the period of such incapacity, should said period be less than ninety (90) days. However, any active member of said department not requiring sick leave during any calendar year shall receive three (3) days compensatory leave with full pay in addition to any vacation provided for herein provided officers utilizing sick leave for on-duty accident or injury shall not be disqualified for perfect attendance days. This figure may be arrived at by computing each of three (3) four-month periods separately during the year, and awarding one day of compensatory leave for each four-month period in which an active member of the department requires no sick leave. Compensatory leave days earned under this section must be used within twelve (12) months of the date on which they were earned, and they must not be accumulated beyond such twelve-month period.

(b) Any active member of the Indianapolis Police Department hired after December 31, 1984 shall receive sick leave as follows:

1. "On-duty injury." Any active member of the Indianapolis Police Department hired after December 31, 1984 who is unable to perform the duties of his/her employment by reason of sickness, accident or injury incurred in the line of duty as certified by the Police and Fire medical clinic as provided by contract with the Department of Public Safety, or another medical doctor approved by the Department, shall be entitled to sick leave with full pay for the period of such incapacity; however, such sick leave period shall not exceed ninety (90) consecutive calendar days.
2. "Non-duty injury."
 - (i) "Definitions."
 - (a) "Sick leave" shall mean time off granted a police officer whose illness, accident, injury or disability prevents him/her from performing duties directed by the Department. Sick leave is intended to provide relief from loss of pay in cases of absence from work due to established incapacity to perform assigned duties, as defined and directed by the Department, but is not to be regarded as an optional leave right.
 - (b) "Reasonable evidence" shall mean a certificate from a medical doctor licensed to practice medicine and employed by the Police and Fire medical clinic or another medical doctor approved by the department that the subject police officer is incapable of performing assigned duties as defined and directed by the Department. Before granting or continuing sick leave with pay, the Department may require evidence that the employee is actually sick or disabled.
 - (ii) "Accrual."
 - (a) Upon commencement of employment, police officers shall have a bank of ninety-six (96) hours of sick leave for non-duty illness, accidents or injuries. Upon completion of one year of employment, police officers shall accrue sick leave at the rate of eight (8) hours per month, ninety-six (96) hours per year.

- (b) Those police officers who are starting to work on or before the 15th day of the month shall have their account credited with a full month's accrual of sick time on the first day of the month following the month in which they were hired.
 - (c) Those police officers who are starting to work on or after the 16th day of the month shall have their account credited with a full month's accrual of sick time on the first day of the second month after they were hired.
 - (d) The police officer must work a month before any time can be credited to his/her account.
 - (e) Sick leave time will only accrue if a police officer works or is paid for more than one-half (1/2) the month, provided however, no police officer shall continue to accrue sick leave or other fringe benefits while receiving pension disability payments.
- (iii) "Unearned leave." Sick leave cannot be used prior to accrual and cannot be earned while on any leave without pay status.
 - (iv) "Justification." The burden of proof rests with the police officer to convince the Department that sick leave is justifiable. The Department may require a medical certificate or other evidence of illness as requested. Sick leave is only to be used for a personal doctor's appointment and/or personal illness.
 - (v) "Sick leave abuses." In the case of sick leave abuse, the Department may designate such leave as vacation leave, leave without pay, or as grounds for disciplinary action, including dismissal.
 - (vi) "Separation from employment." Accrued sick leave will not be paid upon termination, except as follows: Upon separation from employment by reason of death, or retirement under circumstances such that the employee would be eligible for retirement benefits under State law, or in the event of a lay-off, if such lay-off was anticipated to last longer than six (6) months, an employee will be entitled to compensation for accrued accumulated sick leave at one-half (1/2) his or her regular daily rate of compensation.
 - (vii) "Charging sick leave." Sick leave may only be taken in eight (8) hour increments.
 - (viii) "Carryover." Accrued sick leave may be carried over from year to year.
 - (ix) "Accrual of other paid leave." Vacation days shall accrue to police officers while on paid sick leave.
- (c) "Compliance with departmental policy." All sick leaves related to non-duty sicknesses, accidents and injuries must comply with Departmental rules, regulations, orders and standard operating procedures.

SECTION 4. Part III of Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 6. Classification of ranks.

There is hereby created the following classification of ranks within the force and the minimum compensation to be paid annually to the respective ranks:

Probationary patrolman:	\$ 6,000.00
Patrolman:	\$ 6,600.00
Sergeant:	\$ 7,300.00
Lieutenant:	\$ 8,000.00
Captain:	\$ 9,000.00
Major:	\$10,000.00

Except as otherwise provided by law, the chief, with the approval of the director, shall establish a scale of compensation for the various grades of officers in the force. The compensation so fixed shall be based on the rank held by the officer of the force as shall be determined under the merit system of this appendix, the length of service of the officer in each rank, and the special technical competence of job assignment of the officer. The scale of compensation shall be required to apply uniformly to all officers similarly situated with respect to rank, length of service in rank, and special technical competence and job assignment.

Except as otherwise provided in this appendix, all appointments to said ranks shall be permanent.

Sec. 8. Merit promotion system.

There shall be established a consolidated city police merit promotion system which shall be administered by the merit board. All promotions of members of the force shall be made in conformity with the promotion procedure established by this appendix, except in the case of the appointment of the chief by the director of public safety, and of the appointment of deputy chiefs, and of the appointment of majors by the chief.

Sec. 10. Requirements for promotion.

No member of the force shall be eligible for promotion to the next highest rank unless said member has spent the following minimum time in the rank held at the time he is considered for promotion: Five (5) years in rank of patrolman for promotion to sergeant, except that the merit board may waive up to three (3) years on the basis of the member's college or other equivalent educational experience; two (2) years in rank of sergeant for promotion to lieutenant; two (2) years in rank of lieutenant for promotion to captain. A member shall only be promoted to the next highest rank.

Within the limits of this appendix, the chief, with the approval of the merit board, shall set standards in conformity with the most widely approved standards of comparable police departments, and shall establish reasonable prerequisites of training, education and experience for each rank, grade and position in the department.

Sec. 11. Procedures for promotion.

Any member who shall have fulfilled the time and rank requirement set by this appendix for promotion to the next highest rank shall be deemed eligible to compete for the next highest rank in conformity with the procedure established by the chief with the approval of the merit board which shall include:

- (1) A written examination with a minimum passing score, the results of which shall be sealed and placed in a safe or other secure place and not made available to the captain's board.
- (2) For promotion to sergeant or lieutenant, an interview with a captain's board consisting of one captain from each division of the force. The selection of an interview board of captains shall be by lot by the officer determined in the same

manner as the selecting officer is chosen to draw the names of the officers to serve on the disciplinary boards. The drawing of names shall be from a list of eligible captains to be drawn no earlier than seventy-two (72) hours prior to the beginning of interviews. Whenever possible, eligible officers from the same grade seeking promotion to the same higher grade should be interviewed by the same interview board.

- (3) For promotion from lieutenant to captain, an interview with a board consisting of three (3) majors appointed by the merit board from a list of majors furnished by the chief.

The interview score shall be based on the interview and on previous evaluations contained in the candidates' file. The scores on the written examination and the interview shall be combined by the chairman of the personnel section with the written exam contributing not less than fifty (50) percent of the total combined score. All candidates shall be ranked on promotion lists for the respective ranks commencing with the highest total promotion score.

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

There being no further business, the Police Special Service District Council adjourned at 8:24 p.m.

President SerVaas reconvened the meeting of the City-County Council at 8:24 p.m.

Councillor Miller requested a seven minutes recess. President SerVaas recessed the meeting of the City-County Council at 8:25 p.m.

President SerVaas reconvened the meeting of the City-County Council at 8:46 p.m.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 1, 1985. This proposal approves certain projects for funding from Community Development Grant Funds. Councillor Borst reported that the Metropolitan Development Committee held a special meeting on January 3, 1985, and approved the list of organizations presented to the Council tonight. The Committee voted 5-0 to recommend Proposal No. 1, 1985, Do Pass. Councillor Gilmer moved, seconded by Councillor Giffin, to send Proposal No. 1, 1985, back to Committee for further consideration. The motion passed by a voice vote.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business and upon motion duly made and seconded, the meeting of the City-County Council adjourned at 9:04 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 7th day of January, 1985.

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


President


Clerk of the City-County Council

ATTEST:

(SEAL)