

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

REGULAR MEETINGS, MONDAY, AUGUST 4, 1986

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 7:12 p.m., on Monday, August 4, 1986, with Councillor SerVaas presiding.

Reverend Donald L. Willis, Pastor of N. Suburban Baptist Church, lead the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

ABSENT: Page

President SerVaas announced that a quorum of 28 members was present.

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

PROPOSAL NO. 460, 1986. This proposal honors the Hugh O'Brian Youth Foundation International Leadership Seminar. Councillor SerVaas, sponsor of

Proposal 460, explained that the Hugh O'Brian Youth Foundation was conducting its 29th Annual International Leadership Seminar in Indianapolis from August 1 to 9. There are approximately 200 participants in the seminar, all being high school sophomores. Councillor SerVaas read the resolution, presented a framed copy to Mr. O'Brian and moved for its adoption.

Mr. O'Brian stated that he has enjoyed watching the growth of Indianapolis and, in his opinion, the City-County Council provides a good example of leadership. He indicated that one main purpose of the Youth Foundation is to seek out, award and recognize leadership potential. Mr. O'Brian commended the work of Dean James East, I.U.P.U.I. School of Liberal Arts, who coordinated this year's seminar, and thanked local persons who donated time to participate as counsellors for the eight-day seminar.

Proposal No. 460, 1986, was adopted by Unanimous Voice Vote, retitled SPECIAL RESOLUTION NO. 94, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 94, 1986

A SPECIAL RESOLUTION honoring the Hugh O'Brian Youth Foundation International Leadership Seminar.

WHEREAS, the Hugh O'Brian Youth Foundation International Leadership Seminar on "America's Incentive System" is being held in Indianapolis; and

WHEREAS, this Seminar marks the twenty-ninth (29th) anniversary of HOBY's efforts to recognize and promote excellence in our youth of today; and

WHEREAS, only two hundred (200) people were selected from over three hundred thousand (300,000) high school sophomores to participate in this eight (8) day event; and

WHEREAS, these International Leadership Seminars were designed to stimulate the imagination of our youth toward greater undertakings and to further the development of their leadership abilities; now, therefore:

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

SECTION 1. The Indianapolis-Marion County City-County Council recognizes and honors the Hugh O'Brian Youth Foundation International Leadership Seminar.

SECTION 2. The Council further extends the wish that all participants shall gain the insight and knowledge from these seminars to build a better future.

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.

OFFICIAL COMMUNICATIONS

President SerVaas stated that tonight the proposed 1987 Budgets would be introduced and that Mayor William H. Hudnut, III and County Auditor Faye Mowery had requested to briefly address the Council on this matter. The President recognized Mayor Hudnut, who delivered the following remarks:

“Mr. President, Mr. Majority Leader, Mr. Minority Leader, Members of the City-County Council, ladies and gentlemen: It is my annual duty as Mayor to present to the Council a City budget proposal for the coming year. The County Auditor will follow with the County’s financial plan.”

“It will come as no surprise that the City is being pinched financially - \$12.5 million worth of Federal Revenue Sharing is gone and Community Development Block Grants are down. With your help, we have planned for some of these cuts and are holding the line on spending. The 1987 City budget is \$374.9 million, down \$4.1 million from this year’s spending level.”

“We are relying more heavily now on cumulative building funds - about \$17.9 million will be used during the next 18 months for more than 75 projects.”

“As public stewards, we must be prudent. The 1987 budget balances the goals of keeping current expenditures to near zero growth levels while investing in projects with longterm rewards - projects like the countywide emergency communications system and various capital projects that will both accommodate the Pan American Games and benefit the City far beyond the games. We are searching for creative new ways to fund these and other City projects. In some cases, we have found them, and they are included in the 1987 budget. But, frankly, we have to explore additional avenues, possibly even a surcharge on special events.”

“For example, the spotlight will focus on Indianapolis in 1987 with the World Indoor Track and Field Championships in March, the National Conference of

State Legislators and the National Association of County Officials conventions in July and the Pan American Games in August.”

“The payback - including an enhancement of our City’s national and international image as well as \$175 million - will be much greater than the payout. Historically, overtime budgets have increased annually approximately fifteen percent. Obviously, the special events of the coming year will pose extra demands on our resources, which, for the most part, we plan to absorb. We may discover, however, that it is time for the “users” to begin paying at least a share of our out-of-pocket expenses.”

“The real backbone of our City government is the quality of day-to-day services for our citizens and neighborhoods. Those cannot suffer. We will continue our commitment to improving the quality of life in our neighborhoods.”

“For example, the Department of Parks and Recreation will serve several million people this year alone. But the Department’s proposed 1987 budget of just over \$15 million is down slightly from this year.”

“Because money is tight, future park development and expansion will be based on the ability of projects to generate income. In 1987, that means improving revenue producing facilities such as pools and waterslides; upgrading our concession operation; and working with IUPUI on a first-class baseball field at Belmont Park. During the next eighteen months, incidentally, we plan to spend \$2 million in cumulative funds on twenty Parks projects throughout the County. The recent neighborhood forums highlighted the need for improvements at neighborhood parks like Arsenal and Christian, and for the completion of the Perry Park Master Plan. We plan to pump \$50,000 into each of those facilities.”

“In the Department of Administration, creative new programs such as self-funded City insurance and employee wellness are paying dividends. Our cost-containment efforts and increased competition in the health care field mean that starting this October most employees will receive a reduction in the health insurance premiums they pay.”

“The budget also reflects our earlier creation of the Division of Equal Opportunity. Continued efforts with affirmative action, the development of minority businesses within the City and encouragement of the private sector in this area are

critical. We also will continue honoring our \$1 million plus financial commitment to human service programs through the Community Centers of Indianapolis and the Central Indiana Council on Aging.”

“This same commitment to social services and neighborhood needs is evident in the Department of Metropolitan Development. Despite a nine percent cut in the department’s budget, there will be no cuts in programs important to our neighborhoods. About \$1.23 million is earmarked for home repair and commercial revitalization contracts with neighborhood groups.”

“Public-private partnerships are the hallmark of many Metropolitan Development projects. In 1987, we will improve operations in the City Market by turning it over to a private management firm. We also will be discussing with you the possibility of private management of additional public housing programs.”

“In the downtown area, our 1987 focus is on the northwestside. The Federal government is pumping \$7 million in Urban Mass Transportation Administration money into the revitalization of the historic Central Canal. We expect the improvements to stimulate as much as \$77 million in new, private sector investments in housing, retail and commercial development.”

“Public-private cooperation also allowed us to break ground this spring for the new Resource Recovery plant. With landfill costs escalating again next year, the plant will give the City a much-needed alternative to traditional disposal methods in 1988.”

“DPW is containing costs through increased efficiency. Improved efficiency at the wastewater treatment plants, for example, has made \$3-4 million available for work on the sewer system. Next year, that money will help pay for the “leakbusters” program, which will reduce sewer backups, and will rehabilitate some of the downtown’s century-old sewer system.”

“About \$5 million in cumulative funds is in DPW’s spending plans for the last half of this year and 1987. That money will fund twenty projects, all priorities in the neighborhood forums, ranging from a \$46,000 flood control project at 46th

Street and Pennwood to the \$460,000 Bailey Highlands sewer project.”

“The total Department of Transportation budget for 1987 is approximately \$39.1 million. That includes \$6.1 million for the resurfacing of eighty-seven miles of City streets, and another \$1.75 million for traffic signals and related costs - increases of \$1.4 million for resurfacing and almost half a million dollars for traffic signals.”

“Careful planning is stretching our Transportation dollars. For example, DOT plans to spend \$5.4 million in cumulative funds during the next eighteen months. Those local dollars will attract another \$15-21.5 million in Federal funds, giving us the money we need for twenty-eight projects. Again, we have focused on neighborhood needs, like those on the northeastside where an exploding suburban growth is stretching facilities to the limit. In that area, we have budgeted \$4 million for improvements to 82nd Street from Keystone to Allisonville and \$3 million for work on Allisonville from 86th to 96th Streets.”

“Unfortunately, we cannot control all our costs. In DOT, we were forced to add \$1.2 million to our street lighting budget to cover an anticipated increase in electric rates.”

“Our highest priority must be Public Safety, which is hard hit by the loss of Federal Revenue Sharing. The 1987 budget is predicated on a local option income tax rate of four-tenths of one percent. We propose to dedicate \$15.3 million of the \$15.8 million in revenues from that tax to the Department of Public Safety. More than half - about \$7.7 million - will go into the police and fire pension funds, with the balance for the operating budgets. Fortunately, we anticipated this loss of Federal funding and were able to save \$2.5 million from this year’s local option income tax distribution to help fund the 1987 budget.”

“Overall, we have budgeted \$108.5 million for Public Safety, an increase of \$11.7 million. This includes \$2.2 million for police overtime, \$1 million of which will cover possible demands of the Pan American Games and other major events. Let me reemphasize that neither the requirements of the Pan Am Games nor of any other special event next year will sway us from our commitment to, first and foremost, providing neighborhood patrols and crime fighting.”

“We already have more uniformed police officers on the street than we did ten years ago, despite the highest attrition rate in at least a decade. Twenty-five more police officers and fifteen more firefighters will retire than we had expected this year, compounding our existing personnel shortage. Although our authorized strength will remain at 973 officers, our 1987 budget will put at least fifteen more officers out on the streets by replacing uniformed officers with civilians in functions which do not require sworn police. We also plan to spend about \$3 million in cumulative funds to replace sixty percent of our police vehicle fleet and \$2.1 million in countywide local option income tax money to finance the Metropolitan Emergency Communications Agency, which will be fully operational in late 1987.

“People rightfully want to know what impact all of this will have on their property tax bills. We will not know the answer until December or January. The City-County Council will work on the budget we have submitted, and we do not have firm figures for assessed property values.”

“Last year, for example, we estimated a tax rate of \$5.04 at budget time. When all the data was in this January, the rate dropped to \$4.83. Right now, our information is that assessed value countywide has increased only 1.1 percent. We know the figure is low, but legally, we must accept it and advertise a 1987 tax rate of \$5.24. While that is an 8.5 percent or a forty-one cent increase over last year’s rate, it is only four percent greater than the rate introduced at budget time last year. Thirteen-point-three (13.3) cents of the proposed increase is dedicated to police and fire; 19.5 cents for sinking funds (primarily for our sewer and water treatment facilities); 5 cents for cumulative funds; and 3 cents for other funds.”

“The budget I have proposed to you tonight attests to our continuing commitment to provide quality City services to our citizens. We must protect them; we must keep their environment clean; we must keep their thoroughfares open and safe; we must maintain their recreational areas; and we must create an atmosphere that invites maximum opportunities for private sector investment and manageable growth.”

“A survey by the National League of Cities found that more than half of the major U.S. cities expect to end their year in the red. As a result of prudent

fiscal leadership during the last decade, Indianapolis consistently has ended up in the black, and we are one of only two cities in the country that can say that."

"I am confident that 1987 will be no exception. In the coming weeks we will work together to develop a budget that will benefit our citizens and enhance the health and growth of our community."

"Than you very much for your attention."

The President recognized County Auditor Faye Mowery, who provided the following comments on the county portion of the proposed 1987 Budget:

"Mr. President and Ladies and Gentlemen of the Council: This is the second year I have had the privilege of presenting the Marion County Budget to this legislative body and you would think the task would be easier this year. Quite the contrary, this has been a difficult budget to put together with a determination that there should be no County General tax increase."

"As required in your ordinance, we are presenting to you a balanced budget. We have identified revenues to sustain the recommended expenditures in the Level I Budget with no proposed increase in the County General tax rate for 1987."

"The State legislature has given county government a revised method of funding Welfare and has also made possible a method of funding a proposed operational budget for MECA from the Local Option Tax Revenues."

"Thanks to your approval of the county-wide Job Classification Program, the county employees are finally at parity with city employees if you approve all the Character 1, Level I budgets as presented. The proposed 1987 County General Fund budget is up \$3,338,537, or 3.7% over the 1986 revised budget of \$90,659,821. This increase includes an 8% overall increase in salaries in Character 1. For your consideration there is an additional \$300,000 in Level II to equalize those salaries that were under the minimum classification for some jobs. Characters 2, 3 and 4 were allowed by the Auditor to increase 3%. However, with

a 9.6% increase in City-County Building rent, some agencies could not fund this increase within the 3%, and those amounts are listed in the Level II Budget, which we will recommend to the Council that those amounts be funded.”

“The funding of a new Criminal Justice Agency in the amount of \$1.5 million is included in this yearly budget for the first time. Also for the first time for several years, each County agency has been asked to budget their proposed portion of ISA’s new charge back program. These amounts have all been in the Auditors Budget in the past, which gave no incentive to individual agencies to be prudent with their computer spending.”

“As mentioned in my opening remarks, the Welfare Budget is drastically changed this year due to House Enrolled Act No. 1085. Your budget books contain only Character 3 Welfare expenses which cover A.D.C., Foster Home Care and related services at a cost of \$38,173,000 for a tax rate of \$.2606. The personnel/administrative costs as well as Hospital Care for the Indigent (H.C.I.) will be paid directly by the State Welfare Department. However, the latter two costs will be funded by two new County-wide tax levies which will be added to the overall county welfare tax rate. We have been advised by the State Tax Board that the tax levy for administration will be \$3,544,881. The combination of the proposed Character 3 expenses and the administrative costs levy results in a partial welfare tax rate of \$.3454. The current 1986 tax rate covering comparable costs is \$.2750.”

“In addition to the Welfare costs just listed, we must add a State established H.C.I. welfare levy of \$1,093,888 for a tax rate of \$.0262 plus \$.0501 for the current year’s Welfare Sinking Bond rate, which after combining all the funds just mentioned makes a total Welfare tax rate of \$.4217, which is an increase of almost 9 cents or 27% over the 1986 tax rate. This still does not include the unpaid 1986/86 H.C.I. claims for which another bond issue will probably need to be established early in 1987 after negotiations with the hospitals.”

“As I said all during the 1986 Legislative Session to no avail, the Welfare bill has done nothing for us in Marion County but raise our costs. We still write the checks and advance funds to pay Welfare bills. It is still evident that our Legislators must look at overhauling the bill just passed this year. It is also very evident that this situation will not improve even in 1988.”

“Anticipated real estate tax revenues are up 1.3% due to a conservative estimated increase in the County-side assessment. There is an increase in the County’s portion of Local Option Tax money of \$2,795,349, and there is a projected increase in Intangible and Excise Tax and some miscellaneous fees. Interest rates, however, are down and of course there are no revenue sharing dollars listed for 1987.”

“The County’s portion of the Cumulative Capitol Development Fund remains at four cents for 1987, which equals \$1,673,224. Those funds are to be invested, with exception of the purchase of Sheriff cars, until the Juvenile Center construction project is under way in 1987. Also, by the end of 1986 there will have accumulated, approximately \$1,977,018 in the current Cumulative Capital Development Fund which will be combined with 1987 funds and presented to you in 1987 for appropriation when a final decision of funding the Juvenile Center project is agreed upon. There is no Cumulative Capital Development Fund expenditures included in this budget for your consideration at this time.”

“It is my belief that with this County General and Welfare Budgets, as presented to you this evening, the fifty-five County and township agencies can perform their statutory duties with an adequate level of service of the citizens of Marion County.”

“In closing, again it is my pleasure to present to you this budget, and the Auditor’s staff will assist you and your staff in any way possible in your review and recommendation in formulating a final budget for 1987.”

“Thank you.”

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, August 4, 1986, 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

July 22, 1986

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, July 24, 1986, a copy of NOTICE TO TAXPAYERS of a public Hearing on Proposal Nos. 408, 412, 413, 431 and 434, 1986, to be held on Monday, August 4, 1986, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

July 23, 1986

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 Friday, July 25, 1986, a copy of NOTICE TO TAXPAYERS of a public Hearing on Proposal No. 438, 1986, to be held on Monday, August 4, 1986, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

July 25, 1986

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 Wednesday, July 30, 1986, a copy of NOTICE TO TAXPAYERS regarding adoption of License Regulation of the Controller of the City of Indianapolis, Indiana (No. 86-2), to be effective on August 24, 1986.

Respectfully,

s/Beverly S. Rippy
City Clerk

July 28, 1986

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. 61, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Forty-seven Thousand Six Hundred Forty-three Dollars (\$47,643) in the State and Federal Grant Fund for purposes of the Forensic Services Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 62, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional One Hundred Twenty-five Thousand Dollars (\$125,000) in the County Corrections Fund for purposes of the Forensic Services Agency and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

FISCAL ORDINANCE NO. 63, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Ninety-three Thousand Forty-two Dollars (\$93,042) in the County Corrections Fund for purposes of the Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

FISCAL ORDINANCE NO. 64, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Five Thousand One Hundred Thirty Dollars (\$5,130) in the State and Federal Grant Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 65, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Four Thousand Five Hundred Dollars (\$4,500) in the State and Federal Grant Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 66, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Thirty-four Thousand Eight Hundred Dollars (\$34,800) in the County Corrections Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

FISCAL ORDINANCE NO. 67, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Seventy-three Thousand Three Hundred Twenty-one Dollars Dollars (\$73,321) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 68, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Seven Thousand Five Hundred Dollars (\$7,500) in the County General Fund for purposes of the Information Services Agency and reducing certain other appropriations for that agency.

FISCAL ORDINANCE NO. 69, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) authorizing changes in the personnel compensation schedule (Section 2.01) of the Marion County Healthcare Center.

FISCAL ORDINANCE NO. 70, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Two Thousand Dollars (\$2,000) in the County General Fund for purposes of the County Surveyor and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 71, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Twenty Thousand Dollars (\$20,000) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Division of Planning, and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 72, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Twenty Thousand Dollars (\$20,000) in the City Market Fund for purposes of the Department of Metropolitan Development, City Market Division, and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 73, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating One Hundred Thousand Three Hundred Thirty-five Dollars (\$100,335) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 74, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) authorizing changes in the personnel compensation schedule (Section 2.01) of the Forensic Services Agency.

FISCAL ORDINANCE NO. 75, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) authorizing changes in the personnel compensation schedule (Section 2.01) of the Juvenile Detention Center.

FISCAL ORDINANCE NO. 76, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Nine Thousand Dollars (\$9,000) in the Prosecutor's Diversion Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 77, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Eighty Thousand Dollars (\$80,000) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste Processing Operations, and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 65, 1986, amending Chapter 17 of the "Code of Indianapolis and Marion County, Indiana".

GENERAL ORDINANCE NO. 66, 1986, concerning indemnification of township assessors.

GENERAL ORDINANCE NO. 67, 1986, amending the "Code of Indianapolis and Marion County, Indiana" to authorize the establishment of a police department special services branch petty cash fund.

GENERAL ORDINANCE NO. 68, 1986, amending the "Code of Indianapolis and Marion County, Indiana", changing various regulations for portions of Illinois Street.

GENERAL ORDINANCE NO. 69, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 70, 1986, amending the "Code of Indianapolis and Marion County, Indiana", establishing loading zones for portions of Illinois and Meridian Streets.

GENERAL ORDINANCE NO. 71, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 72, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

GENERAL ORDINANCE NO. 73, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 74, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 75, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 76, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 77, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

GENERAL ORDINANCE NO. 78, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 28-166, One-way streets and alleys.

SPECIAL ORDINANCE NO. 24, 1986, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (The Calderon Development Company Project)" in the principal amount of Two Million Dollars (\$2,000,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 25, 1986, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1986 (Central Indiana Supply Company, Inc. Project)" in the principal amount of Six Hundred Thousand Dollars (\$600,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 26, 1986, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series F, G, H and I (H & K Realty Company - E & A Industries, Inc. Projects)" in the aggregate principal amount of Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 27, 1986, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

GENERAL RESOLUTION NO. 7, 1986, approving the issuance of bonds of the Indianapolis Redevelopment District, in one or more series, payable solely out of taxes on real property located in the Consolidated Redevelopment Allocation Area allocated and deposited into the consolidated Redevelopment Allocation Area Special Fund pursuant to the provisions of IC 36-7-15.1-26 in an aggregated principal amount not to exceed Twenty Three Million Dollars (\$23,000,000).

SPECIAL RESOLUTION NO. 76, 1986, honoring Leonard Wymore.

SPECIAL RESOLUTION NO. 77, 1986, honoring Mack Gray of the Society of Retired Executives.

SPECIAL RESOLUTION NO. 78, 1986, in memoriam of Starling W. James.

SPECIAL RESOLUTION NO. 79, 1986, amending City-County Special Resolution No. 103, 1983 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 80, 1986, amending City-County Special Resolution No. 196, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 81, 1986, amending City-County Special Resolution No. 194, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 82, 1986, amending City-County Special Resolution No. 92, 1981 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 83, 1986, amending City-County Special Resolution No. 7, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 84, 1986, amending City-County Special Resolution No. 58, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 85, 1986, amending City-County Special Resolution No. 41, 1982 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 86, 1986, amending City-County Special Resolution No. 197, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 87, 1986, amending City-County Special Resolution No. 34, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 88, 1986, amending City-County Special Resolution No. 193, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 89, 1986, amending City-County Special Resolution No. 45, 1983 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 90, 1986, amending City-County Special Resolution No. 44, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 91, 1986, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 92, 1986, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 93, 1986, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF THE AGENDA

Consent was given to the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of August 4, 1986, as distributed.

ADOPTION OF JOURNALS

President SerVaas called for additions or corrections to the Journal of March 24, 1986. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 466, 1986. This proposal requests the Metropolitan Development Commission to establish a sixty-day moratorium on the designation of historic preservation areas. Councillor Durnil explained that he along with Councillors Journey, Page, Boyd, Strader, Schneider and Giffin were co-sponsoring the introduction of Proposal 466. Councillor Durnil moved, seconded by Councillor Howard, for adoption.

Councillor West remarked that the resolution was unclear and asked for clarification of its contents.

Councillor Durnil stated that the Historic Preservation Commission "petitions" the Metropolitan Development Commission for the designation of historic preservation areas and that other types of petitions require the signatures of fifty-one percent of affected property owners.

Councillor West requested that Mr. Robert Samuelson, President of the Metropolitan Development Commission, be allowed to speak to the Council.

Mr. Samuelson confirmed that the Historic Preservation Commission does not have the authority to designate historic areas; however, it may "petition" the Metropolitan Development Commission for the designation of historic preservation areas.

It was Councillor Williams' opinion that the resolution was vague and that the Council should support the "current system" and wisdom of the persons serving on both the Historic Preservation Commission and the Metropolitan Development Commission. She urged for the defeat of Proposal No. 466, 1986.

Councillor Durnil moved, seconded by Councillor Journey, to call the question to end debate.

After hearing the voice vote to end debate, the President ruled that the Ayes carried.

Councillor Williams requested that President SerVaas explain to the audience the sequence of events, particularly why the citizens were not allowed to address the Council on this discussion.

President SerVaas explained that any Councillor may exercise his right to exercise the question to end debate and then proceed to the next order of business.

Proposal No. 466, 1986, was adopted by Unanimous Voice Vote, retitled COUNCIL RESOLUTION NO. 28, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 28, 1986

A COUNCIL RESOLUTION calling on the Metropolitan Development Commission to establish a sixty (60) day moratorium on the designation of historic preservation areas.

WHEREAS, the designation of historic preservation areas has been found to place substantial burdens on private ownership of property; and

WHEREAS, it has come to the attention of the Council that the Historic Preservation Commission believes it has the authority under state and federal law to seek designation of such areas without approval by the Council or the affected property owners; and

WHEREAS, it has further come to the attention of the Council that the Historic Preservation Commission initiates zoning designations without the prior approval of affected property owners; and

WHEREAS, it appears there is presently pending before the Metropolitan Development Commission designations which have substantial community opposition; and

WHEREAS, the Council believes that the rules and regulations for the designation of said areas regarding the satisfaction of the affected property owner's needs and desires should be further qualified and resolved before further action is taken on any matter; now, therefore:

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

SECTION 1. The City-County Council of Indianapolis and Marion County calls on the Metropolitan Development Commission to establish a sixty (60) day moratorium on the designation of historic preservation areas.

SECTION 2. The Council further requests that the Commission delay or reject all designations of historic preservation areas during this sixty (60) day moratorium period.

SECTION 3. The Council directs that the Historic Preservation Commission initiate no further requests for federal designations without Council approval for sixty (60) days.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 447, 1986. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$6,507 for the Department of Administration, Equal Opportunity Division, to purchase furniture for contract compliance monitoring services"; and the President referred it to the Administration Committee.

PROPOSAL NO. 448, 1986. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$33,000 for the Department of Administration, Office of the Mayor, to provide a networked computer system within the Mayor's Office and to department directors for word processing, inquiring, complaint processing, electronic mailing and scheduling"; and the President referred it to the Administration Committee.

PROPOSAL NO. 449, 1986. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$4,920 for the Department of Parks and Recreation, Eagle Creek Division, to provide additional recreational programming from funds donated by the Lilly Foundation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 450, 1986. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$70,080 for the Department of Parks and Recreation, Community Recreation Division, to provide additional recreational programming from funds donated by the Lilly Foundation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 451, 1986. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,000 for the Department of Parks and Recreation, Administration Division, to provide additional recreational programming from funds donated by the Lilly Foundation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 452, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE making election to use county option income tax revenues to fund MECA"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 453, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE appropriating \$25,000 for the Department of Public Safety, Police Division, to fund programs for the Indianapolis Police Athletic League from funds donated by Lilly Endowment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 454, 1986. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code regarding the wastewater treatment facilities reserve fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 455, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection control changes at various locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 456, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection control at Georgetown Road and 79th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 457, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection control at Spencer Avenue and 22nd Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 458, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection control at Hearthstone Way and Pinetop Drive"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 459, 1986. Introduced by Councillor Crowe. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing parking regulations, one-way streets, and intersection controls for portions of 13th and 14th Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 461, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE for the annual budget for the Police Special Service District for 1987"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 462, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE for the annual budget for the Fire Special Service District for 1987"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 463, 1986. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE for the annual budget for the Solid Waste Collection Special Service District for 1987"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 464, 1986. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE for the annual budget for Indianapolis and Marion County, Indiana for 1987"; and the President referred it to various Committees.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 465, 1986. Introduced by Councillor Borst. The Clerk read the proposal entitled "A REZONING ORDINANCE certified by the Metropolitan Development Commission on August 1, 1986". No action was taken by the Council on Proposal No. 465, 1986, and the proposal was deemed adopted. Proposal No. 465, 1986, was retitled REZONING ORDINANCE NO. 114, 1986, and reads as follows:

**REZONING ORDINANCE NO. 114, 1986. 86-Z-74, AMENDED PERRY TOWNSHIP COUNCILMANIC DISTRICT NO. 20
460 EAST EPLER AVENUE, INDIANAPOLIS.**
Jerry Vondeylan, by Louis H. Borgmann, requests the rezoning of 0.58 acres, being in the C-1 district, to the C-3 classification, to provide for quick lube oil change and gasoline sales.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 431, 1986. This proposal is a rezoning ordinance certified by the Metropolitan Development Commission on July 3, 1986 (7850 Harcourt Road,

Indianapolis). Councillor SerVaas explained that a request for a continuance had been received to Postpone Proposal No. 431, 1986, until the August 8, 1986 meeting of the Council. Consent was given.

PROPOSAL NO. 434, 1986. This proposal is a rezoning ordinance amending the Dwelling Districts Zoning Ordinance of Marion County, Indiana and Marion County Master Plan Permanent Zoning Ordinance regarding churches. Councillor Borst explained that on August 4, 1986, the Metropolitan Development Committee recommended Proposal No. 434, 1986, Do Pass by a vote of 4-0-1. The President called for public testimony at 8:27 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal No. 434, 1986, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Howard, Page, Williams*

Proposal No. 434, 1986, was retitled GENERAL ORDINANCE NO. 87, 1986, and reads as follows:

GENERAL ORDINANCE NO. 87, 1986

86-AO-2, AMENDED

The Metropolitan Development Commission of Marion County, Indiana, proposes the adoption of ORDINANCE 86-AO-2, amending Marion County Council Ordinance No. 8, 1957, as amended, the Zoning Ordinance for Marion County, Indiana, by amending the Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance No. 66-AO-2, as amended) and amending the Marion County Master Plan Permanent Zoning Ordinance, adopted on November 12, 1948, and subsequently amended, to provide that churches are permitted uses within all dwelling and agricultural zoning districts subject to the grant of a special exception.

PROPOSAL NO. 438, 1986. This proposal is a rezoning ordinance certified by the Metropolitan Development Commission on July 17, 1986 (4816 N. Franklin Road, Indianapolis). Councillor SerVaas explained that a request for a continuance had been received to postpone Proposal No. 438, 1986, until the August 18, 1986, meeting of the Council. Consent was given.

PROPOSAL NO. 408, 1986. This proposal transfers and appropriates \$15,600 and amends the personnel schedule for the County Recorder to facilitate copying an increased volume of documents. Councillor Cottingham stated that since 1982 the demand for copied material from the Recorder's Office has almost doubled. Proposal 408 also authorizes the addition of three "deputy recorders II" positions. The County and Townships Committee on July 29, 1986, recommended Proposal No. 408, 1986, Do Pass by a vote of 5-0. The President called for public testimony at 8:31 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Bradley, for adoption. Proposal No. 408, 1986, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams

NO NAYS

6 NOT VOTING: Clark, Giffin, Howard, Journey, Page, West

Proposal No. 408, 1986, was retitled FISCAL ORDINANCE NO. 78, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 78, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating an additional Fifteen Thousand Six Hundred Dollars (\$15,600) in the County General Fund for purposes of the Recorder's Office and reducing certain other appropriations for the County Recorder's Office and the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (a)(6) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the County Recorder to facilitate copying an increased volume of documents.

SECTION 2. The sum of Fifteen Thousand Six Hundred Dollars (\$15,600) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY RECORDER

2. Supplies
3. Other Services & Charges
TOTAL INCREASE

COUNTY GENERAL FUND

\$13,600
2,000
\$15,600

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

MARION COUNTY RECORDER

1. Personal Services

COUNTY GENERAL FUND

\$ 9,300

Unappropriated and Unencumbered

County General Fund

6,300

TOTAL REDUCTION

\$15,600

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

(6) COUNTY RECORDER - Dept. 26

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Recorder	1	36,861	36,861
Chief Deputy Recorder	1	26,304	26,304
Fiscal Deputy	1	18,919	18,919
Admin. Secretary	1	13,811	13,811
Deputy Recorders I	3	14,682	40,294
Deputy Recorders II	2 <u>2</u>	12,810	243,384 <u>236,084</u>
TOTAL	2 <u>3</u>		381,578 <u>372,273</u>

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

PROPOSAL NO. 412, 1986. This proposal appropriates \$15,000 for the Superior Court, Juvenile Division, for "Project Street Law" which will be reimbursed by a grant. Councillor Dowden explained that the new program will educate juveniles about the legal system in an effort to reduce the recidivism rate. The twelve-week program is designed for first-time offenders of non-violent crimes and will be conducted on Saturday mornings with 15-20 offenders in each class. The Public Safety and Criminal Justice Committee on July 23, 1986, recommended Proposal No. 412, 1986, Do Pass by a vote of 6-1-2. The President called for public testimony at 8:35 p.m.

Councillor Schneider expressed concern with regard to the source of funding for Proposal No. 412, particularly with respect to future funding once the grant is depleted. He moved to amend Proposal No. 412, 1986, by adding a new section

pertaining to what is most commonly known as the "Patterson amendment", clarifying that once the current source of funding was depleted that the City or County would not be obligated to provide funding for the program. Councillor Clark seconded the motion to amend which was carried by Consent.

[Clerk's Note: The amendment was composed by the General Counsel and inserted as Section 5.]

Councillor Borst expressed disappointment from not having received information promised to him by the Juvenile Court regarding Proposal 412, 1986.

Councillor Schneider moved, seconded by Councillor Clark, for adoption of Proposal No. 412, 1986, As Amended. Proposal No. 412, 1986, As Amended, was adopted on the following roll call vote; viz:

22 AYES: *Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, McGrath, Miller, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*

3 NAYS: *Borst, Boyd, Holmes*

4 NOT VOTING: *Howard, Journey, Nickell, Page*

Proposal No. 412, 1986, As Amended, was retitled FISCAL ORDINANCE NO. 79, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Fifteen Thousand Dollars (\$15,000) in the State and Federal Grant Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(4) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Marion County Superior Court, Juvenile Division, for "Project Street Law" which will be reimbursed by a grant.

SECTION 2. The sum of Fifteen Thousand Dollars (\$15,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SUPERIOR COURT

JUVENILE DIVISION

2. Supplies

3. Other Services & Charges

TOTAL INCREASE

STATE AND FEDERAL GRANT FUND

\$ 500

14,500

\$15,000

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

Unappropriated and Unencumbered

State and Federal Grant Fund

TOTAL REDUCTION

STATE AND FEDERAL GRANT FUND

\$15,000

\$15,000

SECTION 5. The City-County Council has no intention of supplementing or financing the projects approved herein by use of revenues from any local tax regardless of source. Any time that knowledge is received that the private financing of this project is, or will be, reduced or eliminated, the supervisor or County Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

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

PROPOSAL NO. 413, 1986. This proposal appropriates \$34,447 for the Prosecuting Attorney for three federal grants. Councillor Dowden reported that two grants are "victim assistance grants" which will be given to the Julian Center to be used for the printing of brochures describing the agency's services and to the Salvation Army to provide one counselor to counsel persons who are no longer living at the Army's shelter but still need counseling. The third grant will be used to purchase equipment to provide a link between the Juvenile Court's computer system and the Youth Resource Center. The Public Safety and Criminal Justice Committee on July 23, 1986, recommended Proposal No. 413, 1986, Do Pass by a 9-0 vote. The President called for public testimony at 8:39 p.m.

Councillor Schneider expressed concern with regard to the lack of information about the new programs.

Councillor Boyd stated that the standing committees would soon be having 1987 Budget hearings and that it would be beneficial if the Council were furnished information from the agencies who are receiving money from grants, specifically information regarding 1986 funds received from grants to date. It was Councillor Boyd's opinion that such information would provide a better understanding of the proposed 1987 Budget.

It was Councillor Dowden's opinion that Councillor Boyd's suggestion would only cause confusion and suggested instead that the Auditor provide a written statement concerning the subject.

Councillor SerVaas stated that he did not believe it was necessary to receive an audit from the Auditor and that the agencies should be able to provide the information.

Councillor Dowden mentioned that one problem with grants is that there is often an overlapping of fiscal calendars.

Councillor Shaw stressed that the new programs have extreme importance in attempting to reduce jail populations. He added that a lot of the new programs are "one shot deals".

Councillor Williams voiced support for Councillor Boyd's suggestion.

Councillor SerVaas stated that he would contact Prosecutor Goldsmith to request that the Prosecutor speak to the Council on the subject of grants.

Marion County Auditor Faye Mowery invited all Councillors to attend the August 5, 1986, meeting of the Economic Development Committee where revenues would be discussed. She added that grants are a source of revenue and that the Prosecutor would be present at the meeting.

Councillor Dowden moved, seconded by Councillor Holmes, for adoption of Proposal No. 413, 1986. Proposal No. 413, 1986, was adopted on the following roll call vote; viz:

19 AYES: Borst, Boyd, Bradley, Coughenour, Crowe, Curry, Dowden, Giffin, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, West

8 NAYS: Clark, Cottingham, Durnil, Gilmer, McGrath, Rader, Schneider, Strader

2 NOT VOTING: Page, Williams

Proposal No. 413, 1986, was retitled FISCAL ORDINANCE NO. 80, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Thirty-four Thousand Four Hundred Forty-seven Dollars (\$34,447) in the State and Federal Grant Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(22) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Prosecuting Attorney for three federal grants continuing in 1986.

SECTION 2. The sum of Thirty-four Thousand Four Hundred Forty-seven Dollars (\$34,447) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANT FUND</u>
3. Other Services & Charges	\$26,747
4. Capital Outlay	7,700
TOTAL INCREASE	<u>\$34,447</u>

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

	<u>STATE AND FEDERAL GRANT FUND</u>
Unappropriated and Unencumbered State and Federal Grant Fund	\$34,447
TOTAL REDUCTION	<u>\$34,447</u>

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 238, 1986. This proposal appropriates \$300,000 for the Department of Parks and Recreation, Administration Division, for the expansion of the Major Taylor Velodrome facilities. The Parks and Recreation Committee on July 24, 1986, recommended Proposal No. 238, 1986, Do Pass As Amended, by a 5-0 vote. Due to the necessity of additional legal advertising, Councillor Durnil moved to Postpone Proposal No. 238, 1986, until the August 18, 1986, meeting of the Council. Consent was given.

PROPOSAL NO. 331, 1986. This proposal is a final bond ordinance authorizing certain amendments concerning previously issued City of Indianapolis, Indiana Economic Development Revenue Bonds (Indiana Sports Corporation). Councillor Schneider moved to Postpone Proposal No. 331, 1986, until the August 18, 1986, meeting of the Council. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 410, 1986. This proposal appoints Charles A. Pechette to the Public Housing Advisory Council. Councillor Borst reported that although Mr. Pechette could not attend the committee hearing, he did submit a very impressive resume. The Metropolitan Development Committee on July 23, 1986, recommended Proposal No. 410, 1986, Do Pass by a 3-0 vote. Councillor Borst moved, seconded by Councillor Rader, for adoption. Proposal No. 410, 1986, was adopted by Unanimous Voice Vote, retitled COUNCIL RESOLUTION NO. 29, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 29, 1986

A COUNCIL RESOLUTION appointing Charles A. Pechette to the Public Housing Advisory Council.

**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 Public Housing Advisory Council, the Council appoints:

CHARLES A. PECHETTE

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1988. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

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

PROPOSAL NO. 411, 1986. This proposal transfers and appropriates \$3,594 and amends the personnel schedule for the Marion County Superior Court, Probate Division, to complete payment of renovation work done in 1985. Councillor Dowden explained that in 1985 the Coroner's Officer relocated to the Jail and

that the Probate Court expanded its office to occupy the space formerly occupied by the Coroner on the seventeenth floor of the City-County Building. The Public Safety and Criminal Justice Committee on July 23, 1986, recommended Proposal No. 411, 1986, Do Pass by a 7-0 vote. Councillor Dowden moved, seconded by Councillor Howard, for adoption. Proposal No. 411, 1986, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
 NO NAYS
 4 NOT VOTING: *Clark, Nickell, Page, Williams*

Proposal No. 411, 1986, was retitled FISCAL ORDINANCE NO. 81, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 81, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Three Thousand Five Hundred Ninety-four Dollars (\$3,594) in the County General Fund for purposes of the Marion County Superior Court, Probate Division, and reducing certain other appropriations for that court.

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

SECTION 1. . To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(6) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Marion County Superior Court, Probate Division, to complete payment for renovation completed in 1985.

SECTION 2. The sum of Three Thousand Five Hundred Ninety-four Dollars (\$3,594) 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 SUPERIOR COURT

PROBATE DIVISION
 3. Other Services & Charges
 TOTAL INCREASE

COUNTY GENERAL FUND
\$3,594
 \$3,594

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

MARION COUNTY SUPERIOR COURT

PROBATE DIVISION
 1. Personal Services
 TOTAL REDUCTION

COUNTY GENERAL FUND
\$3,594
 \$3,594

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

(6) SUPERIOR COURT-PROBATE DIVISION - Dept. 63

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	18,011	18,011
Hearing Judge	1	43,633	43,633
Commissioners	4	35,897	71,189 <u>67,669</u>
Manager	1	25,000	<u>25,000</u>
Court Attorney	1	8,481	8,481
Court Reporters	2	21,034	40,975
Bailiff	2	17,808	31,856
Estate & Gdnshp. Clerks	2	14,640	29,280
Adoption Clerk	1	14,640	14,640
Temporary Help			11,341 <u>1,247</u>
TOTAL	15		278,418 <u>280,792</u>

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

PROPOSAL NO. 414, 1986. This proposal authorizes the sale of property by the Department of Public Works. Councillor Coughenour explained that the two-story commercial building located at 3343 N. Central Avenue consists of an office and shop and that it was acquired by the Department in 1985 for non-payment of real estate taxes. The Public Works Committee on July 31, 1986, recommended Proposal No. 414, 1986, Do Pass by a 4-0 vote. Councillor Coughenour moved, seconded by Councillor Nickell, for adoption. Proposal No. 414, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: Crowe, Holmes, Page

Proposal No. 414, 1986, was retitled SPECIAL RESOLUTION NO. 95, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 95, 1986

A SPECIAL RESOLUTION approving the sale of certain real estate of the Department of Public Works.

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

SECTION 1. The City-County Council approves, pursuant to IC 36-1-11-3 the sale of the following property by the Department of Public Works:

<u>LOCATION</u>	<u>APPRAISED VALUE</u>	<u>BID VALUE</u>	<u>BOARD OF PUBLIC WORKS PUBLIC HEARING DATE</u>
343 N. Central Ave.	\$21,000.00	\$18,900.00	June 9, 1986

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

PROPOSAL NO. 415, 1986, amends the Code by authorizing intersection control changes at Graham Avenue and St. Clair and Boyd Avenue and Bradbury Avenue. PROPOSAL NO. 416, 1986, amends the Code by authorizing two-way traffic flow conversion on Pennsylvania Street, from 27th Street to 28th Street. PROPOSAL NO. 417, 1986, amends the Code by authorizing changes in weight load restrictions for four locations in the vicinity of Chapelwood Boulevard and 10th Street. Councillor Gilmer stated that the Transportation Committee on July 30, 1986, recommended Proposal Nos. 415-417, 1986, Do Pass by a vote of 5-0. Councillor Gilmer moved, seconded by Councillor McGrath, for adoption. Proposal Nos. 415-417, 1986, were adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Page

Proposal No. 415, 1986, was retitled GENERAL ORDINANCE NO. 79, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 1986

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", Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 11	N. Graham Av. & E. St. Clair St.	N. Graham Av.	STOP
32, Pg. 3	Boyd Av. & E. Bradbury Av.	E. Bradbury Av.	STOP

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 11	Graham Av. & St. Clair St.	NONE	STOP
32, Pg. 3	Boyd Av. & Bradbury Av.	NONE	STOP

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

Proposal No. 416, 1986, was retitled GENERAL ORDINANCE NO. 80, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the deletion of the following, to wit:

SOUTHBOUND

Pennsylvania Street, from its intersection with Talbot Avenue north of Thirtieth Street to Madison Avenue.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

SOUTHBOUND

Pennsylvania Street, from Talbot Street to 28th Street;

Pennsylvania Street, from Fall Creek Parkway, South Drive to Madison Avenue.

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

Proposal No. 417, 1986, was retitled **GENERAL ORDINANCE NO. 81, 1986**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 81, 1986

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", 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

Chapelwood Boulevard, from a point 637 feet south of Tenth Street to St. Clair Street;

Westmore Drive, from Tenth Street to St. Clair Street;

St. Clair Street, from Girls School Road to Westmore Drive;

Halsted Drive, from Girls School Road to Radburn Drive.

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

PROPOSAL NO. 418, 1986. This proposal amends the Code by transferring power to enter into public utility franchises and lighting contracts from the Board of Public Works to the Board of Transportation. The Transportation Committee on July 30, 1986, recommended Proposal No. 418, 1986, Do Pass As Amended, by a 5-0 vote.

Councillor Clark questioned the maximum length of the contract being twenty-five years.

Councillor Clark moved, seconded by Councillor Schneider, to postpone Proposal No. 418, 1986, until after the 1987 Budget hearings.

General Counsel Robert Elrod stated that the twenty-five year provision was not a new addition to the Code, specifically that the provision was merely included as normal preparation of the ordinance.

Councillor SerVaas stressed that Proposal No. 418 was not a budgetary item.

After further discussion, Councillors Clark and Schneider withdrew their previous motion.

Councillor Gilmer moved, seconded by Councillor McGrath, for adoption of Proposal No. 418, 1986, As Amended.

Proposal No. 418, 1986, As Amended, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, West, Williams

NO NAYS

5 NOT VOTING: Durnil, Howard, Page, Schneider, Strader

Proposal No. 418, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 82, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana" by amending Section 3 - 404 and Section 3 - 503 to transfer the authority to enter into street lighting contracts from the Board of Public Works to the Board of Transportation.

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

SECTION 1. Section 404 of Chapter 3 of the "Code of Indianapolis and Marion County, Indiana" is hereby amended by deleting the words crosshatched and inserting the words underlined as follows:

Sec. 3 - 404. Board of public works.

(a) **Established.** There is hereby established a board of public works pursuant to IC 36-3-5-6 and IC 36-3-4-23.

(b) **Members.** The board of public works shall be composed of five (5) members; the department director, who serves as presiding officer of the board; (2) members appointed by the mayor and two (2) members appointed by the city-county council. Each appointed member shall serve a one-year term and until his successor is appointed and qualified, but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.

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

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

(e) **Powers.** The board of public works shall have the following powers:

- (1) To review all budgets prepared by the department and recommend to the city-county council any revisions the board feels desirable;
- (2) To hold any hearings to be held following public notice and make findings and determinations required by applicable law;
- (3) To approve the award and amendment of contracts let by the department for the purchase or lease of capital equipment or other property where the contract is required to be bid under IC 36-1-9;
- (4) To approve the award and amendment of public construction contracts let by the department which are required to be bid under IC 36-1-12;
- (5) To approve the acquisition of and leases for real estate by the department;
- (6) To approve the employment of persons engaged by the department by contract to render professional or consulting services;
- (7) To approve the disposal of property by the department as specified in IC 36-1-11;
- (8) To exercise flood control power as described in IC 36-9-29.1, drainage power as described in IC 36-9-27; and waste collection and disposal powers as described in IC 36-9-31;
- (9) To authorize abutments as stated in section 7-2 of the Code of Indianapolis and Marion County, Indiana;

- (10) To exercise the powers given to the board in Chapters 10½, 17½, 19 and 27 of the Code of Indianapolis and Marion County, Indiana;
- (11) To contract with any individual or corporation for supplying the city with gas, water, steam, power, heat or electricity other than such contract shall be submitted to the city-county council for approval. No such contract shall be for a term of longer than twenty-five (25) years. This power shall not interfere with the exclusive power of the board of transportation to enter into contracts for the lighting of public streets pursuant to Sec. 3-503.
- (12) Any other powers given to the board by law or by the mayor or the city-county council.

SECTION 2. Section 503 of Chapter 3 of the "Code of Indianapolis and Marion County, Indiana" is hereby amended by inserting the words underlined as follows:

Sec. 3 - 503. Board of transportation.

- (a) Established. There is hereby established a board of transportation pursuant to IC 36-3-5-6 and IC 36-3-4-23.
- (b) Members. The board shall be composed of five (5) members; the department director, who serves as presiding officer of the board, two (2) members appointed by the mayor and two (2) members appointed by the city-county council. Each appointed member shall serve a one-year term and until his successor is appointed and qualified, but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.
- (c) Meetings. The board shall hold regular meetings at least once a month, at times and places prescribed by its rules or established by resolution. No notice to members is required for holding or taking any action at a regular meeting. A special meeting of the board may be called by the presiding officer or by two-fifths of the members, at any place in the county designated in the call. Each member shall be notified of the time and place of such a meeting by written notice which must be delivered, mailed or sent by telegram so that each member has at least seventy-two (72) hours notice of the meeting. The notice requirements may be waived as to a member if he attends the meeting or executes a written waiver of notice. The waiver may be executed either before or after the meeting, but if executed after, it must state in general terms the purpose of the meeting.
- (d) Board action. A majority of all members of the board constitutes a quorum. A majority vote of all the board members is required to pass a resolution.
- (e) Powers. The transportation board shall:
- (1) Review all budgets of the metropolitan thoroughfare district and the department prepared for or proposed by the department and shall recommend to the city-county council any revisions or adjustments as the board deems desirable;

- (2) Hold any hearing to be held following public notice and make the findings and determinations required by applicable law to be made after such hearing, including but not limited to the issuance of special taxing district bond;
- (3) Approve the award and amendment of contracts by the department for the purchase or lease of capital equipment, supplies, materials, services, or other property where the contract is required to be bid under IC 36-1-9;
- (4) Approve the award and amendment of public construction contracts required to be bid under IC 36-1-12;
- (5) Approve the acquisition of and leases for real estate;
- (6) Approve the employment of persons engaged by contract to render professional or consulting services;
- (7) Accept streets and roads into the public road system after dedication pursuant to the procedure set forth in Chapter 28 of the Code of Indianapolis and Marion County, Indiana;
- (8) Hold hearing on appeal from denial of permits or waivers under the jurisdiction of the department of transportation;
- (9) Exercise the powers of the works board in IC 36-9-18, IC 36-9-19, and IC 36-9-20 insofar as these powers apply to sidewalks, curbs, streets, alleys, other paved public places, parking facilities, lighting and electric signals;
- (10) Exercise all powers granted to the transportation board by IC 36-9-6.5 and IC 36-9-11.1; and
- (11) Contract with any individual or corporation for providing street lights, maintenance for street lights and lighting for streets, alleys or public places, but any such contract shall be submitted to the city-county council for approval. No such contract shall be for a term of longer than twenty-five (25) years.
- (12) To enter into a franchise, grant or contract authorizing a telephone, telegraph, electric light, gas, water, steam, railroad, or interurban company or any other person or corporation to erect and use structures in streets, alleys or other public places in the city. Any such franchise, grant or contract is subject to conditions imposed by Chapter 31 of the Code. This power shall not be construed in any way to interfere with the exclusive power of the cable franchise board established in section 8½-140 of the Code of Indianapolis and Marion County, Indiana, or the power of the Board of Public Works pursuant to IC 36-9-31; and
- ~~(14)~~ (13) Exercise any additional powers awarded by statute, ordinance or by the mayor.

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

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

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

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

PROPOSAL NO. 419, 1986. This proposal amends the Code by authorizing the Board of Transportation to enter into public utility franchises. The Transportation Committee on July 30, 1986, recommended Proposal No. 419, 1986, Do Pass by a 5-0 vote.

Councillor Clark expressed concern that certain installations may detract from the aesthetics of neighborhoods.

General Counsel Robert Elrod stated that it was his understanding that the majority of installations would be fiber optics, thus having buried lines.

Councillor Gilmer moved, seconded by Councillor Rader, for the adoption of Proposal No. 419, 1986. Proposal No. 419, 1986, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams*
NO NAYS

2 NOT VOTING: *Dowden, Page*

Proposal No. 419, 1986, was retitled GENERAL ORDINANCE NO. 83, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 83, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana" by adding a new Section 31 - 6 to provide for a procedure for issuing franchises to public utilities for use of public right-of-way.

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

SECTION 1. A new Section 31 - 6 is hereby added to read as follows:

Sec. 31 - 6. Pursuant to IC 8-1-2-101, the City-County Council hereby authorizes the board of transportation to enter into franchise agreement with public utilities setting terms and conditions under which the public utilities may be permitted to use the public right-of-way.

Any such franchise agreement shall contain the following conditions:

- (1) The public utility must obtain all permits and licenses required by the department of transportation or any other city department.
- (2) The public utility must agree to indemnify and defend the city against any and all claims for injuries, damages, costs and expenses to persons or property that may arise out of or be occasioned by the use, occupancy and maintenance of the right-of-way by the public utility or from any negligent act or omission of the public utility.
- (3) The public utility shall agree to make no claim against the city for any damages suffered as a result of the installation, construction or repairs of a public improvement unless caused by the sole and direct negligence of the city.
- (4) Public utility must agree to provide "as built" drawings showing location of any facilities it installs.
- (5) Any other conditions and provisions imposed by the Code of Indianapolis and Marion County.

SECTION 2. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

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

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

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

PROPOSAL NO. 420, 1986, amends the Code by designating a portion of Arthur Street as one way and by placing weight load restrictions on a portion of Arthur Street. PROPOSAL NO. 421, 1986, amends the Code by authorizing parking control changes on a portion of Senate Avenue. PROPOSAL NO. 422, 1986, amends the Code by placing weight load restrictions on a portion of Schiller Avenue. Councillor Gilmer stated that the Transportation Committee on July 30, 1986, recommended Proposal No. 420, 1986, Do Pass by a 5-0 vote; Proposal No. 421, 1986, Do Pass As Amended, by a 5-0 vote; and Proposal No. 422, 1986, Do Pass As Amended, by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor

McGrath, for the adoption of Proposal No. 420, 1986, and Proposal Nos. 421 and 422, 1986, As Amended. Proposal Nos. 420-422, 1986, were adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Page*

Proposal No. 420, 1986, was retitled GENERAL ORDINANCE NO. 84, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted, and Section 29-166, One-way streets and alleys designated.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, 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

Arthur Street, from Cossell Rd. to Vermont St.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

SOUTHBOUND

Arthur Street, from Cossell Rd. to Vermont St.

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

Proposal No. 421, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 85, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-254 (b), Manner of parking.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-254 (b), Manner of parking, be, and the same is hereby amended by the addition of the following, to wit:

(b) Forty-five degree angle

Senate Avenue, on the west side, from Morris Street to Kansas Street;

Senate Avenue, on the east side, from Morris Street
to the first alley south of Morris Street.

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

Senate Avenue, on the east side, from Kansas Street
to the first alley north of Kansas Street.

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

Proposal No. 422, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 86, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 1986

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", 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

Schiller Avenue, from the first alley east
of Meridian Street to Pennsylvania Street;

Pennsylvania Street, from Schiller Street to LeGrande Avenue.

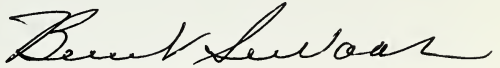
SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENTS

There being no further business, upon motion duly made and seconded the meeting adjourned at 9:25 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 4th day of August, 1986.

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



President

ATTEST:



Clerk of the Council

(SEAL)