

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

**REGULAR MEETINGS
MONDAY, DECEMBER 10, 1990**

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 7:15 p.m. on Monday, December 10, 1990, with Councillor SerVaas presiding.

Councillor SerVaas led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

27 PRESENT: Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West, Williams
2 ABSENT: Cottingham, Strader

A quorum of twenty-seven members being present, the President called the meeting to order.

OFFICIAL COMMUNICATIONS

Daniel Orcutt, Executive Director, Indianapolis Airport Authority, reported on the Indianapolis International Airport Master Plan Update, 1990 - 2010.

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:

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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, December 10, 1990, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

November 27, 1990

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, November 29, 1990, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 684, 685, 686, 687, 688, 690, 691 and 661, 1990, to be held on Monday, December 10, 1990, at 7:00 p.m. in the City-County Building.

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

November 29, 1990

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 Monday, December 3, 1990 and Monday, December 10, 1990, a copy of NOTICE TO BIDDERS.

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

December 7, 1990

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-Dick, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 113, 1990, amending the City-County annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Fifty Thousand Dollars (\$150,000) in the Consolidated County Fund for purposes of the Department of Metropolitan Development Planning Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 114, 1990, approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to make temporary loans for the use of the Consolidated County Fund, the Park District Fund, the Flood Control General Fund, the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund, the Sanitary Solid Waste General Fund, during the period January 1, 1991, through December 31, 1991, in anticipation of current taxes levied in the year 1990 and collectible in the year 1991 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the taxes to

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be received in said Funds to the payment of said Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

FISCAL ORDINANCE NO. 115, 1990, approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to make temporary loans for the use of the County General Fund and the County Welfare Fund ("Funds") during the period January 1, 1991, through December 31, 1991, in anticipation of current taxes levied in the year 1990 and collectible in the year 1991 ("Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in the Funds to the payment of the Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

FISCAL ORDINANCE NO. 116, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Seven Thousand Seven Hundred Fifty-four Dollars (\$7,754) in the State and Federal Grants Fund for purposes of the Prosecuting attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

FISCAL ORDINANCE NO. 117, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Three Thousand Six Hundred dollars (\$3,600) in the State & Federal Grants Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

FISCAL ORDINANCE NO. 118, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Hundred Twenty Thousand dollars (\$120,000) in the Metropolitan Emergency Communications Fund for purposes of the Metropolitan Emergency Communications Agency and reducing the unappropriated and unencumbered balance in the Metropolitan Emergency Communications Fund.

FISCAL ORDINANCE NO. 119, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating Fifty-seven Thousand Dollars (\$57,000) and appropriating an additional Two Hundred Three Thousand Two Hundred Thirty-two Dollars (\$203,232) in the County General Fund for purposes of the Superior Court Juvenile Division/Detention Center and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 120, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Seventeen Thousand Five Hundred Dollars (\$17,500) in the Supplemental Adult Probation Fees Fund for purposes of the Superior Court-Criminal Division Probation Fees Fund for purposes of the Superior Court-Criminal Division Probation Department and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

FISCAL ORDINANCE NO. 121, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Seven Hundred Sixty Dollars (\$760) in the County General Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that Agency.

FISCAL ORDINANCE NO. 122, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Fifty Thousand Dollars (\$50,000) in the City General Fund for purposes of the Department of Administration Finance Division and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 123, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Thirty Thousand Dollars (\$30,000) in the County General Fund for purposes of the Information Services Agency and reducing certain other appropriations for the Agency.

FISCAL ORDINANCE NO. 124, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Eighty-two Thousand Dollars (\$82,000) in the Indianapolis Housing authority Fund for purposes of the Department of Metropolitan Development, Public Housing Division and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 125, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Forty Thousand Dollars (\$40,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Eagle Creek Division, and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 126, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Eighty Thousand Dollars (\$80,000) in

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the Park General Fund for purposes of the Department of Parks and Recreation, Recreation and Sports Facilities Division, and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 127, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Eighty-two Thousand Dollars (\$82,000) in the Prosecutor's Diversion Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that Office.

FISCAL ORDINANCE NO. 128, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Seven Thousand Fifteen Dollars (\$7,015) in the State & Federal Grants Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that Office.

FISCAL ORDINANCE NO. 129, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Seventy-two Thousand One Hundred Seventy-one Dollars (\$72,171) in the County General Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that Office.

FISCAL ORDINANCE NO. 130, 1990, amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Twenty Thousand dollars (\$20,000) in the Law Enforcement Settlement Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for that Agency.

GENERAL RESOLUTION NO. 14, 1990, further amending and supplementing City-County General Resolution No. 4, 1979 as amended by City-County General Resolution No. 18, 1989 concerning the Hospital Authority of Marion County's authority to issue certain revenue bonds.

SPECIAL RESOLUTION NO. 74, 1990, concerning Judge Edward P. Madinger.

SPECIAL RESOLUTION NO. 75, 1990, recognizing Fredrick L. Monschein.

SPECIAL RESOLUTION NO. 76, 1990, concerning the indianapolis Museum of Art.

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

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE POLICE SPECIAL SERVICE DISTRICT 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 Police Special Service District, Mrs. Beverly S. Rippy-Dick, the following ordinances:

FISCAL ORDINANCE NO. 6, 1990, amending the Police Special Service District Annual Budget for 1990 (Police Special Service District Fiscal Ordinance No. 5, 1989) transferring and appropriating an additional Two Hundred Twenty-five Thousand Dollars (\$225,000) in the Police Pension Fund for purposes of the Department of Public Safety, Police Division and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 7, 1990, amending the Police Special Service District Annual Budget for 1990 (Police Special Service District Fiscal Ordinance No. 5, 1989) transferring and appropriating an additional Two Hundred Sixty-three Thousand Dollars (\$263,000) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division and reducing certain other appropriations for that Division.

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

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

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APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of November 26, 1990. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 713, 1990. This proposal, sponsored by Councillors Ruhmkorff, Clark, Durnil and Moriarty, congratulates Seccina Memorial High School on winning the 1990 IHSAA Class 2A Football State Championship. Councillor Ruhmkorff read the resolution and framed documents were presented to the team members who were present and to Coach Tim Barthel who expressed his appreciation for the recognition. Councillor Ruhmkorff moved, seconded by Councillor Durnil, for adoption. Proposal No. 713, 1990 was adopted by unanimous voice vote.

Proposal No. 713, 1990 was retitled SPECIAL RESOLUTION NO. 77, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 77, 1990

A SPECIAL RESOLUTION congratulating Seccina Memorial High School.

WHEREAS, the Seccina Memorial High School Crusaders won the 1990 IHSAA Class 2A football State Championship on November 23, 1990, with a 28-27 victory over River Forest High School; and

WHEREAS, this state championship team was never ranked in the top ten by the polls during this fall's football season, but the Crusaders ended up Number One in the poll that counts; and

WHEREAS, a positive attitude and a winning self-confident spirit by the players were important factors in the team's success at the state finals: now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Seccina's winning team members: Chris Hutt, Mike Anderson, Tom White, Mike White, Toby Jacobs, Phil Young, Craig Norton, Larry Shackelford, Casey Richardson, Jim Newitt, Mike Martin, Chris Ardizzone, Jeff Wellner, John Parker, Ed Parada, Kevin Vanover, Mauro Laueri, Chris Jacobs, Mike Sissom, Jesse Murphy, Jeff Newkirk, Sean Frazer, Jake Leffler, Nate Leffler, Chris Gentry, John Wilson, Mike Foley, Matt Sandifer, Jim Cherundolo, Mike Felts, Steve Rue, Brian Greene, Mike Guinan, Eric Lyons, Jeremy Couch, Rob Henn, Chris Phillips, Kris Rodriguez, Tim Moorman, Brian Fields, Virgil Weaver, Jon Pfeiffer, Matt Greene, Jason Swickard, David Hawkins, Daniel Paquette, Keith Hutchison and Tony McHugh.

SECTION 2. The Council further recognizes Seccina Superintendent Frank X. Savage, Principal Larry Neidlinger, Athletic Director Ron Huck, Team Chaplain Rev. Karl Miltz, Athletic Trainer Angie Therber, Sports Medicine Consultant Lynn Nier, Coaches Tim Barthel, Dennis Davis, Harold Green, John Horan, Ott Hurtle, Bob McCoy and Joe Therber, Team Manager Ryan Martin, Cheerleader Moderator Karen Jenks and Cheerleaders Jennifer Erlenbaugh, Amy Griffin, Kristi Kissinger, Lisa McDonald, Maureen McFadden, Angie Summers and Kelly Winter.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 714, 1990. This proposal congratulates Franklin Central High School on winning the IHSAA Class 4A Football State Championship. Councillor Clark read the resolution and presented a framed resolution to Coach Chuck Stephens, who expressed his

appreciation for the recognition. Councillor Clark moved, seconded by Councillor West, for adoption. Proposal No. 714, 1990 was adopted by unanimous voice vote.

Proposal No. 714, 1990 was retitled SPECIAL RESOLUTION NO. 78, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 78, 1990

A SPECIAL RESOLUTION congratulating Franklin Central High School.

WHEREAS, the Franklin Central High School Flashes won the IHSAA Class 4A football State Championship on November 24, 1990, with a 34-14 victory over Hobart High School; and

WHEREAS, the win capped a perfect 14-0 season for Franklin Central, and marks the fourth state football championship for the school; and

WHEREAS, Athletic Director, Jeff Cougill, credits this successful year on the playing field to the dedication and hard work of the players and coaches; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Franklin Central's winning team members: Laron Moore, David Calhoon, Dean Cougill, Brian Beckman, Chris Deatline, Chad Helm, Ryan Shore, Chad Mitchell, Grant Gray, Brad McKay, David Wessel, James Dowdy, Ryan Willsey, Mike Corbin, Brian Burton, Damon Ashman, Kevin Booker, Wayne Coleman, Greg Selke, Alvin Batts, Jake VanWye, Todd Ellis, Chad Stroud, Brian Blythe, David Cupello, Jason Straber, Curtis Starks, Josh Straber, Kyle Brewer, Ryan DesJean, Brian Grimes, Shawn Holmes, Jason Chapman, Ralph Gonzalez, Corby Peck, Jim Plahitko, Brian Richardson, Charles Kidwell, Chris Esteb, Matt Coffey, Joe Arnold, Gabe Barnard, Brad Baker, Kevin Massa, Kevin Campbell, Brent Lewis, Gary Ransdell, John Rode, Mario Agresta, Charlie Stephens, Bill Zimmerman, Nathan Ashman, Brian Betner, Roger Fiesel, Marcus Agresta, Jim Slaymon, Bill Porter, Brad Colvin, Brent Pratt, Jeff Miller, Sean Grimes, Mike Young, Jon Jennings, Jesse McWilliams, Mike Hayward and Tom Faulkner.

SECTION 2. The Council further recognizes Franklin Central's Head Coach Chuck Stephens, Assistant Coaches Dan Hyde, Craig Marks, John Mallery, Bart Austin and Rob Cutter, Freshman Coaches Bruce Torgersen, Tony Schmoll and Todd Kendrick, Superintendent Mr. E. B. Carver, Principal Don King, Assistant Principal Tom Potts, Athletic Director Jeff Cougill, Managers Mark Grisell and Ronnie Yocum, Trainer Kent Evans, Student Trainers Jayme Taylor, Marikay Wheatley, Amy Bowles, Laura Flagle and Leslie Prisco, Cheerleader Coach Denise Kelso, and Varsity Cheerleaders Stephanie Hammett, Michelle Hannah, Lori McFarland, Sandy Platt, Susan Ross, Toniya Scott and Stephanie Stainbrook.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 715, 1990. This proposal, sponsored by Councillors Cottingham and Gilmer, congratulates Ben Davis High School on winning the IHSAA Class 5A Football State Championship. Councillor Gilmer read the resolution and presented a framed resolution to Coach Dullaghan, who expressed his appreciation for the recognition. Councillor Gilmer moved, seconded by Councillor West, for adoption. Proposal No. 715, 1990 was adopted by unanimous voice vote.

Proposal No. 715, 1990 was retitled SPECIAL RESOLUTION NO. 79, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 79, 1990

A SPECIAL RESOLUTION concerning Ben Davis High School.

December 10, 1990

WHEREAS, the Ben Davis High School Giants won the IHSAA Class 5A football State Championship on November 24, 1990, with a commanding 37-3 victory over the Marion, Indiana, Giants; and

WHEREAS, this year's win marks the third Ben Davis state football title in the big-school division in the past four years, and Coach Dick Dullaghan's fourth state championship team; and

WHEREAS, Mr. Dullaghan, who has coached for twenty-four years, stated that this is the physically toughest and best hitting team that he has ever had the privilege of coaching; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Ben Davis High School's winning team members: Troy Turner, James Harney III, Trinity Hines, Brad Gearlds, Todd Davis, Larry Langlois, James Long, Brian Bruner, Chris Ings, Cory Koker, Ron Garmon, Randy Saxton, Dee Wilkerson, Chris Wilson, Greg Pope, Kelly Williams, Chris Broaden, Stephen Holman, Micah Ford, Cameron Smith, Jimmie Harris, Eric Polk, Jeff Richardson, Keith Walton, Michael Seawood, Michael Thomas, Roger Brown, Brian Cook, Brian Scott, Charles Alexander, Raymond Payton, Justin Graves, Malcom Butler, Michael Brown, Jeff Dullaghan, Danny Brock, Michael Steadham, Chris Stevens, Keith Hensley, Michael Lowe, Charlie Murray, Brian Bowman, Dawan Powell, Mark McLaurin, Gus Vazquez, Erik Sides, Tony Smith, Craig Cary, Will Jones, Mark Cabbell, David Blades, Christopher Rickenbach, Tom Tremaine, Jeremy Chapman, Perry Crabtree, Zach Leslie, Bill Mcauley, Orlando Ward, Jason Bourne, Ryan Johnson, Chris Patchon, Brian Holtgrave and Matt Moore.

SECTION 2. The Council further recognizes Ben Davis Giants' Head Coach Dick Dullaghan, Assistant Coaches Burt Austin, Kevin Britt, Mike Davidson, Steve Purichia, Terry Taphorn, Scott Williams, John Ashton, David George, Lee Saunders and Roddy Savage, Superintendent Dr. Edward Bowes, Athletic Director Bob Britt, Team Doctor Dr. John McCarroll, Head Trainer Mark Lahr, Equipment Manager Doug Opel, Principal Dr. James Mifflin, Assistant Athletic Director Priscilla Dillow, Strength Coach Kevin Vanderbush, Assistant Trainer Dana Lisle and Video Trainer Tom Remmetter.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 716, 1990. This proposal, sponsored by all the Councillors, concerns Fred L. Armstrong, who is retiring after twenty-eight years as Controller of the City of Indianapolis. Councillor Rhodes read the resolution and presented a framed document to Mr. Armstrong, who expressed his appreciation for the recognition. Mr. Armstrong's family was also present. Councillor Rhodes moved, seconded by Councillor Borst, for adoption. Proposal No. 716, 1990 was adopted by unanimous voice vote.

Proposal No. 716, 1990 was retitled SPECIAL RESOLUTION NO. 80, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 1990

A SPECIAL RESOLUTION concerning Fred L. Armstrong.

WHEREAS, Mr. Fred L. Armstrong, Controller of the City of Indianapolis, will retire December 28, 1990; and

WHEREAS, Mr. Armstrong, who served in the U.S. Navy during World War II, worked in the County Auditor's Office during the 1960's, was appointed as the first Unified Government City Controller by Mayor Richard G. Lugar on January 1, 1970 through 1973, and was subsequently appointed City Controller by William H. Hudnut, III from 1976 through the present time; and

WHEREAS, known for possessing a fantastic memory and aptitude for numbers, Mr. Armstrong introduced the city's computerized accounting system, established the system for the collection of taxes by banks, was the first Controller in Indiana to have an external audit of the city's records, and has steered the city of Indianapolis to currently enjoy an AAA financial markets bond rating, the highest rating that a city can earn; and

WHEREAS, Mr. Armstrong was named by "City & State" magazine as the Most Outstanding City Controller in the United States, has received an Honorary Doctor of Laws Degree from the University of Indianapolis, received the Good Government Award by the Indianapolis Jaycees, the Outstanding Service to the Community

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Award from the Community Action Against Poverty, the Horatio Alger Award from the Boy's Club and the Professional Achievement Award from the Municipal Finance Officers Association; and

WHEREAS, Mr. Armstrong has generously contributed his time and talents to the National League of Cities, the National Association of Counties, Marion County's Tax Adjustment Board and Board of Finance, the Indianapolis City Market Corporation, the state and local bond banks, the Indiana Government Finance Officers Association, the Arts Council of Indianapolis, the Indiana Sports Corporation, the Indianapolis Public Transportation Corporation, the Columbia Club and to many other organizations; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Indianapolis City Controller Fred L. Armstrong for his twenty-seven years of service to the people of Indianapolis.

SECTION 2. The Council wishes the best of health and happiness in the years ahead to Fred Armstrong, to his wife, Paula, to their children, Fred, William and Pamela, and to their four grandchildren.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 717, 1990. This proposal, sponsored by Councillors Clark and Ruhmkorff, concerns Allen L. Durnil. President SerVaas read the following letter submitted to him by Councillor Durnil:

December 10, 1990

Dr. Beurt SerVaas, President
City-County Council
1000 Waterway Blvd.
Indianapolis, IN 46202

Dear Beurt,

This is to inform you that a new opportunity with new challenges has presented itself, and I am eager to assume my duties as Warren Township Assessor.

I am therefore tendering my resignation from the City-County Council effective December 31, 1990.

Over the past 16 years it has been my pleasure to serve the citizens of Indianapolis. And I am grateful for being matched with this time and this City.

Renewal is a healthy way of life. I feel comfortable in leaving this Council knowing that a new young voice will replace me. A person with fresh new ideas and, with your help, the vigor to implement them.

I wish you all the best, in the new year, and all the years that follow.

Sincerely,
s/Allen L. Durnil
Allen L. Durnil

Councillor Clark read the resolution and presented a framed document to Councillor Durnil, who expressed his appreciation for the recognition. Councillor Durnil's wife, Marilyn, and his children were present. Councillor Clark moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 717, 1990 was adopted by unanimous voice vote.

Proposal No. 717, 1990 was retitled SPECIAL RESOLUTION NO. 81, 1990 and reads as follows:

CITY-COUNCIL SPECIAL RESOLUTION NO. 81, 1990

A SPECIAL RESOLUTION concerning Allen L. Durnil.

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WHEREAS, Allen L. Durnil served with distinction on the Indianapolis City-County Council from December 16, 1974, to December 31, 1990; and

WHEREAS, prior to serving on the Council, Mr. Durnil was a member of the Metropolitan Development Commission during which time the Commission authorized the first public-private downtown revitalization project -- the Hyatt-Merchants Plaza complex; and

WHEREAS, during his sixteen years as an elected member of the Council, he served varying lengths of time on every Council Committee but one, and was the Chairman of the Metropolitan Development and Parks and Recreation Committees; and

WHEREAS, Mr. Durnil, who is in the property rehabilitation business, served his Eastside district and the people of the county well by helping create and improve public golf courses, and by approving the Major Taylor Velodrome, the Olympic-class rowing course at Eagle Creek Park and the new Indianapolis Soccer and Sports Center; and

WHEREAS, he will long be remembered as a tireless advocate of searching for ways to limit the growth of governmental taxes, regulations and influence in people's lives and business; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Allen L. Durnil for his unselfish service on the City-County Council from 1974 through 1990, for his lifetime of volunteer community improvement work, and for his generous personal involvement with youth in the YMCA Indian Guides, Little League coaching and Scouting.

SECTION 2. The Council wishes its colleague, Allen Durnil, along with his wife, Marilyn, and their children, Mark, Lynn, Lisa and Todd, the best of health, happiness and prosperity in the years ahead.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 718, 1990. This proposal, sponsored by Councillor Brooks, designates the Committee on Rules and Public Policy to hold the statutory public hearing on pari-mutuel wagering. Councillor Brooks stated that the purpose of this proposal is to designate the January 3, 1991 Rules and Public Policy Committee hearing as the public hearing for purposes of satisfying the statutory requirements on pari-mutuel wagering. This will preclude the necessity for the whole Council to hear five or six hours of testimony at a Council meeting, but does not preclude some testimony at the Council meeting in a format which is acceptable to the members of the Council.

Councillor Clark stated that he has agreed that (1) the January 3, 1991 Rules and Public Policy meeting would satisfy the requirement for a statutory public hearing on this matter, and (2) a public hearing before the whole Council could be held on this matter if it will be structured in the manner of rezoning ordinances which are submitted for a public hearing before the Council.

Councillor West moved, seconded by Councillor Clark, to delete Section 4 of Proposal No. 718, 1990 in order that it would not preclude some testimony before the entire Council. This motion passed by unanimous voice vote.

Councillor McGrath stated that he feels that the public hearing on pari-mutuel wagering will attract more people than the Public Assembly Room can hold, so he will determine by December 14, 1990 where the Rules and Public Policy Committee meeting on January 3, 1991 will be held.

Councillor Brooks moved, seconded by Councillor Clark, for adoption of Proposal No. 718, 1990, as amended. Proposal No. 718, 1990, as amended, was adopted by unanimous voice vote.

Proposal No. 718, 1990, as amended, was retitled COUNCIL RESOLUTION NO. 77, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 77, 1990

A COUNCIL RESOLUTION designating the Committee on Rules and Public Policy to hold the statutory public hearing on pari-mutuel wagering.

WHEREAS, Proposal No. 582, 1990 is for adoption of an ordinance as required by IC 4-31-4-1 to authorize the filing of applications pursuant to IC 4-31-5 for a permit to conduct pari-mutuel wagering on horse races at racetracks in Marion County; and

WHEREAS, IC 4-31-4-2 requires that the Council conduct a public hearing on such a proposed ordinance to permit applications pursuant to IC 4-31-5 and that there be notice of such public hearing in a manner prescribed by IC 5-3-1; and

WHEREAS, IC 36-3-4-13 (b) provides that a public hearing before a committee of the City-County Council can satisfy the requirement for a statutory public hearing; and

WHEREAS, the Council determines that the public would best be served by the statutory public hearing being held before its Committee on Rules and Public Policy; now, therefore:

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

SECTION 1. The Council hereby designates and authorizes its Committee on Rules and Public Policy to conduct the statutory hearing required by IC 4-31-4-2 on the proposed ordinance to permit applications for pari-mutuel wagering on horse races at racetracks in Marion County as set forth in Council Proposal No. 582, 1990.

SECTION 2. The Council designates the hearing scheduled before its Committee on Rules and Public Policy on January 3, 1991 as the statutory hearing required by IC 4-31-4-2 on Proposal No. 582, 1990.

SECTION 3. The Clerk of the Council is directed to cause notice to be published pursuant to IC 5-3-1 of such statutory public hearing.

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

PROPOSAL NO. 724, 1990. This proposal concerns Operation Desert Shield. Councillor Coughenour read the resolution and presented a framed document to Mrs. Cleo Barnett, whose son is now part of Operation Desert Shield. Mrs. Barnett, accompanied by her daughter, thanked the Council for the resolution. Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 724, 1990 was adopted by unanimous voice vote.

Proposal No. 724, 1990 was retitled SPECIAL RESOLUTION NO. 82, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 82, 1990

A SPECIAL RESOLUTION concerning Operation Desert Shield.

WHEREAS, the United States has sent over 250,000 American men and women to the Persian Gulf region as part of Operation Desert Shield, including loved ones from Indianapolis and Marion County; and

WHEREAS, during this Holiday Season, our hearts and prayers go out to those from our community who are serving their country in the sands of Saudi Arabia; now, therefore:

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

SECTION 1. The Indianapolis City-County Council remembers and salutes the dedicated service and bravery of those men and women who have been called to serve their country overseas during this Holiday Season.

SECTION 2. The Council recognizes the global consequences of Saddam Hussein's aggressive actions which threaten the stability in the Middle East, and denies life, liberty and peaceful commerce to the nation and people of Kuwait.

SECTION 3. During this uncertain time, the Council prays for wisdom for America's leaders, for the well-being of our troops stationed in the Middle East, and for a timely resolution of this Middle East crisis.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

At Councillor Ruhmkorff's request the Council observed a moment of silent prayer for the servicemen and their families who were part of the disaster at Fort Benjamin Harrison on Sunday, December 9, 1990.

Councillor Williams introduced Bill Crawford, State Representative.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 708, 1990. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,890,073 for the Department of Administration, Central Equipment Management Division, to purchase police vehicles"; and the President referred it to the Administration Committee.

PROPOSAL NO. 709, 1990. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,133,765 for the Decatur Township Assessor to digitize plat maps and to purchase software and hardware for the purpose of bringing Township Assessors on line with IMAGIS"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 710, 1990. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the lease of certain real estate of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 711, 1990. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,890,073 for the Department of Public Safety, Police Division, to purchase new vehicles in accordance with the five-year fleet plan"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 712, 1990. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION establishing a redistricting office"; and the President referred it to the Rules and Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 706, 1990. Councillor Schneider asked Councillor Gilmer to give the Committee's report since he was not present at the Committee meeting. Councillor Gilmer

reported that the Economic Development Committee heard Proposal No. 706, 1990 on November 28, 1990. The proposal considers an Inducement Resolution concerning Design Printing Company, Inc. in an amount not to exceed \$2,500,000 for the acquisition and installation of printing press equipment. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Schneider, for adoption. Proposal No. 706, 1990 was adopted on the following roll call vote; viz:

22 YEAS: Borst, Boyd, Brooks, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Jones, McGrath, Mukes-Gaither, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West, Williams

0 NAYS:

5 NOT VOTING: Clark, Golc, Irvin, Moriarty, Rhodes

2 NOT PRESENT: Cottingham, Strader

Proposal No. 706, 1990 was retitled SPECIAL RESOLUTION NO. 83, 1990 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 83, 1990

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-1-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company; and

WHEREAS, Design Printing Company, Inc. (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition and installation of a six-color Heidelberg CD carton design printing machine for use in a printing facility used for printing of commercial material such as brochures, catalogs, newsletters, annual reports, posters and publications, to be installed at the company's existing location at 626 North Illinois Street, Indianapolis, Marion County, Indiana; and the acquisition, construction, installation and equipping of various site improvements at the facility (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (an additional number of jobs of approximately five (5) after one (1) year and eight (8) after three (3) years) and the creation of business opportunities to be achieved by the acquisition and installation of the Project, will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and,

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and,

WHEREAS, the acquisition, renovation, construction, installation and equipping of the facilities will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; NOW, THEREFORE:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment (an additional number of jobs of approximately five (5) after one (1) year and eight (8) after three (3) years) within the jurisdiction of the Issuer, is desirable, serves a public purpose and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment with the jurisdiction of the Issuer.

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SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition and installation of the Project and sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition and installation of the Project, will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition and installation of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided, (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires June 30, 1991 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may, and in all probability will, be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 707, 1990. Councillor Gilmer reported that the Economic Development Committee heard Proposal No. 707, 1990 on November 28, 1990. The proposal considers an Inducement Resolution concerning Meadows Revival, Inc. in an amount not to exceed \$9,000,000 for the acquisition, construction, renovation, installation and equipping of multi-family rental housing for low and moderate-income families to be located at 38th and Meadows Drive. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Boyd, for adoption. Proposal No. 707, 1990 was adopted on the following roll call vote; viz:

19 YEAS: *Borst, Boyd, Brooks, Coughenour, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, McGrath, Mukes-Gaither, Rhodes, Ruhmkorff, SerVaas, Shaw, West, Williams*

0 NAYS:

8 NOT VOTING: *Clark, Gilmer, Golc, Irvin, Jones, Moriarty, Schneider, Solenberg*

2 NOT PRESENT: *Cottingham, Strader*

Councillor Solenberg abstained due to a possible conflict of interest.

Proposal No. 707, 1990 was retitled SPECIAL RESOLUTION NO. 84, 1990 and reads as follows:

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CITY-COUNTY SPECIAL RESOLUTION NO. 84, 1990

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-1-11.9 and IC 36-7-12 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by the company; and

WHEREAS, Meadows Revival (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the renovation, construction, installation and equipping of multi-family rental housing for low and moderate income families containing approximately 6,000 square feet of newly constructed facilities and 498,190 square feet of renovated facilities, which will provide approximately 647 living units containing a total of approximately 452,900 square feet of living space, which will be located at 38th and Meadows Drive, Marion County, Indiana on approximately thirty (30) acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction, installation, and equipping of various site improvements at the facility (the "Project").

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (an additional number of jobs of approximately seventeen (17) after one (1) year and three (3) years) and the creation of business opportunities to be achieved by the renovation, construction, installation and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, the renovation, construction, installation and equipping of the facilities will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now therefore:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation of opportunities for gainful employment (an additional number of jobs of approximately seventeen (17) after one (1) year and three (3) years) within the jurisdiction of the Issuer, is desirable, serves a public purpose and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Nine Million Dollars (\$9,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the construction, installation and equipping of the project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the renovation, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires June 30, 1991 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that (1) any such allocable limit will

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be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the adoption of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

At Councillor Williams' request President SerVaas asked for consent to advance Proposal No. 595, 1990 as the next item on the agenda. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 595, 1990. This proposal, introduced by Councillor Curry, states and clarifies legislative intent concerning the establishment of the Citizens Police Complaint Office.

Councillor Durnil stated that Proposal No. 595, 1990 was heard at the November 28, 1990 Public Safety and Criminal Justice Committee meeting and asked if public testimony was going to be taken again at this Council meeting. President SerVaas replied that public testimony would be a Council decision.

Councillor Williams stated that several of the people present for this proposal have selected one spokesperson.

President SerVaas instructed the Council to signify by saying "yea" if they wished to have public testimony on Proposal No. 595, 1990; and if they did not wish to have public testimony on the proposal to signify by saying "nay". The President ruled that the "nays" were the majority vote.

Councillor Golc stated that he supports public testimony on this proposal because the Council should listen to the concerns of the public.

Councillors Dowden and Schneider stated that the Council has certain rules and procedures. The Public Safety and Criminal Justice Committee had a well-advertised public hearing and no one was refused the opportunity to testify.

Councillor Williams asked what harm would it do to take five minutes and listen to somebody who pays taxes and who wants to talk on an issue that has a tremendous amount of public interest.

Councillor Ruhmkorff moved, seconded by Councillor Gilmer, to follow the original agenda. This motion failed by a majority voice vote.

Councillor West stated that he does not support taking things out of the normal procedure. There was a public hearing on this matter and people did speak at that time. It may be popular for the Council to hear this matter, but if the Council is ever to establish any normal procedure, it needs to follow the rules that have been set forth.

Councillor McGrath said that since the Council has already spent twelve minutes discussing whether the public will be given five minutes to speak, he moved to let one spokesperson speak for five minutes.

Councillor Clark stated that everyone knows that this proposal was not open for public debate and it is not fair to let only one side be heard.

Councillor Howard voiced his support to let one person speak for five minutes.

Councillor Mukes-Gaither called for the question on Councillor McGrath's motion.

Councillor McGrath's motion passed by the following roll call vote; viz:

17 YEAS: Borst, Boyd, Brooks, Coughenour, Durnil, Giffin, Golc, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, SerVaas, West, Williams
8 NAYS: Clark, Curry, Dowden, Gilmer, Holmes, Ruhmkorff, Schneider, Solenberg
2 NOT VOTING: Hawkins, Shaw
2 NOT PRESENT: Cottingham, Strader

President SerVaas said that one person could come forward to speak.

Instead of one person coming forward to speak, two citizens, Jack Clark and Mmoja Ajabu, voiced their opposition to restrictions placed on the Civilian Police Complaint Board.

Councillor Brooks moved to let the minority leader designate one person to speak for five minutes.

President SerVaas asked for a voice vote on permitting one person, designated by the minority leader, to speak for five minutes. The President ruled that the "yeas" were the majority vote.

Councillor Williams thanked Councillor Brooks and asked Sam H. Jones to speak.

Sam H. Jones, Co-Chair, Indianapolis Law Enforcement/Community Relations Coalition, urged the Council to defeat Proposal No. 595, 1990 since it does not allow the Police Complaint Board to hear complaints about police-action shootings.

The President asked for the committee report at this time.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 595, 1990 on November 28, 1990. He said that this proposal is meant to clarify the authority of the Citizens Police Complaint Board. Proposal No. 595, 1990 was amended in Committee by including the following language in Section 3:

"...nor shall the Citizens Police Complaint Board have jurisdiction over any complaint arising from a police-connected fatality.."

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By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor Curry, for adoption.

Councillor Curry stated that if Proposal No. 595, 1990 is passed, the Council should consider an ordinance amending the Code clarifying the authority of the Citizens Police Complaint Board.

Councillor Williams stated that it was her understanding that when the Council passed General Ordinance No. 93, 1989 it did include police-action shootings complaints if a citizen came forward with one. There were no restrictions in the original ordinance because no restrictions were intended. Councillor Boyd agreed with Councillor Williams, stating that he believes that the proposal further decreases the authority of the Board by putting police-action shootings outside of its consideration and study. He said that this issue will be back before this Council at some time in the future.

Councillor Schneider stated that there are eight or nine agencies of government which hear police-action shootings and that they do get proper hearings. He called on Joseph Shelton, Director, Department of Public Safety, to give his opinion of the intent of the establishment of the Citizens' Police Complaint Board.

Mr. Shelton stated that he was a part of the original group that drafted the ordinance that established the Citizens' Police Complaint Board review process. It was his understanding that the intent of that ordinance was to not have the Board review police-action shootings.

Councillor Gilmer moved the previous question. This motion passed by the following roll call vote; viz:

17 YEAS: Borst, Boyd, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, McGrath, Rhodes, Ruhmkorff, Schneider, SerVaas, Solenberg, West
10 NAYS: Brooks, Golc, Hawkins, Howard, Irvin, Jones, Moriarty, Mukes-Gaither, Shaw, Williams
0 NOT VOTING:
2 NOT PRESENT: Cottingham, Strader

Proposal No. 595, 1990, as amended, was adopted on the following roll call vote; viz:

17 YEAS: Borst, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, McGrath, Rhodes, Ruhmkorff, Schneider, SerVaas, Solenberg, West
10 NAYS: Boyd, Golc, Hawkins, Howard, Irvin, Jones, Moriarty, Mukes-Gaither, Shaw, Williams
2 NOT PRESENT: Cottingham, Strader

Proposal No. 595, 1990, as amended, was retitled COUNCIL RESOLUTION NO. 78, 1990 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 78, 1990

A COUNCIL RESOLUTION stating legislative intent.

WHEREAS, on October 23, 1989, the Indianapolis City-County Council passed General Ordinance No. 93, 1989 which established the Citizens Police Complaint Office; and

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WHEREAS, there subsequently have been some public questions and comments about the jurisdictional scope of that office; now, therefore:

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

SECTION 1. The Indianapolis City-County Council reiterates Section 3-304 of the Code of Indianapolis and Marion County, Indiana, which states "....Any complaint of a citizen against a police officer alleging that the officer used profane and abusive language or gestures toward the complainant, intentionally destroyed or damaged the real or personal property of the complainant, exceeded his/her authority as a police officer, or acted in violation of Indianapolis Police Department rules and regulations or orders may be filed in the Citizens Police Complaint Office...."

SECTION 2. Chapter 23-1/2, Article IV of the Code of Indianapolis and Marion County, Indiana, which the Council passed in 1981, states that "Any law enforcement agency which conducts any investigation of a human fatality which appears to be the result of action taken by a law enforcement officer shall forward all evidence gathered in such investigation to the Marion County Grand Jury for review...."

SECTION 3. Therefore, the Council fully and adequately addressed proper external review of all police-connected fatalities in 1981, and that this subsequent Citizens Police Complaint Office shall not retain an investigation staff which may duplicate the work of the Marion County Grand Jury (as well as other outside police review entities), nor shall the Citizens Police Complaint Board have jurisdiction over any complaint arising from a police-connected fatality, but shall confine its jurisdiction to examining police complaints of the nature stipulated in Section 3-304 of the Code.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 719-723, 1990. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on December 6, 1990. The Council did not schedule Proposal Nos. 719-723, 1990, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 719-723, 1990, were retitled REZONING ORDINANCE NOS. 205-209, 1990, and are identified as follows:

REZONING ORDINANCE NO. 205, 1990. 90-Z-179 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5

6308 OAKLANDON ROAD, INDIANAPOLIS.

SILVER CONVENIENCE CENTERS, by Raymond Good, requests the rezoning of .075 acre, being in the D-6II district, to the C-5 classification to provide for a driveway with two-way traffic.

REZONING ORDINANCE NO. 206, 1990. 90-Z-188 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 2

3225 WESTLANE ROAD, INDIANAPOLIS.

THE BRADFORD GROUP, INC., by Stephen D. Mears, requests the rezoning of 43.61 acres, being in the D-A district, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 207, 1990. 90-Z-194 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13

5827 SOUTH ARLINGTON AVENUE, INDIANAPOLIS.

MSE CORPORATION requests the rezoning of 18.316 acres, being in the D-A district, to the D-3 classification to provide for the development of a single-family subdivision.

REZONING ORDINANCE NO. 208, 1990. 90-Z-200 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25

1214 BLUFF CREST LANE, INDIANAPOLIS.

ROBERT and PAMELA SMITH request the rezoning of .983 acre, being in the D-A district, to the D-2 classification to provide for the construction of a single-family residence.

REZONING ORDINANCE NO. 209, 1990. 90-Z-201 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24

7610 SOUTH EMERSON AVENUE, INDIANAPOLIS.

FIRST PRESBYTERIAN CHURCH OF SOUTHPORT requests the rezoning of 27.92 acres, being in the D-6 and C-1 district, to the SU-1 classification to provide for the development of a church.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 661, 1990. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 661, 1990 on November 29, 1990. The proposal amends the Code to extend the current sewer service and user rates for 1991. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:31 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption. Proposal No. 661, 1990 was adopted on the following roll call vote; viz:

- 19 YEAS: Borst, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Golc, Hawkins, Holmes, Irvin, Jones, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, West*
0 NAYS:
8 NOT VOTING: Boyd, Gilmer, Howard, McGrath, Moriarty, Shaw, Solenberg, Williams
2 NOT PRESENT: Cottingham, Strader

Proposal No. 661, 1990 was retitled GENERAL ORDINANCE NO. 146, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 146, 1990

A GENERAL ORDINANCE amending the Section of the Code dealing with the establishment of rates and charges for the use of the sewer system.

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

SECTION 1. Section 27-102 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the language underlined and deleting the language stricken through as follows:

Sec. 27-102. Basis for charge; how calculated.

(a) Established. The sewer user charge imposed by this article shall be based upon the following general formulas:

$$V_T = Vu_1 + Vu_2 \dots + Vu_n$$

$$V_c = \frac{C_T - C_I - C_r - C_u - C_E - I}{V_T} + \frac{0.25(C_1 + C_r + C_u)}{V_T}$$

$$C_c = \frac{0.75(C_1 + C_r + C_u)}{T_c} \div 12$$

Nonindustrial user:

$$R = Vu(Vc) + Cc$$

Industrial user:

$$R = Vu(Vc) + Bc(B) + Sc(S) + Nc(N) + Pc(P) + Vu(Iu) + Cc$$

Where

- Cc = Availability of service charge per month.
- C_T = Total operation and maintenance cost per a unit of time.
- C_I = Operation and maintenance cost to transport and treat infiltration per a unit of time.
- C_r = Operation and maintenance cost to transport and treat inflow per a unit of time.
- C_u = Operation and maintenance cost to transport and treat unmetered water per a unit of time.

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| | | |
|-------|---|--|
| C_E | = | Operation and maintenance cost to treat wastes in excess of base level strength. |
| V_c | = | Operation and maintenance cost to transport and treat a unit of users' wastes equal to or below the base level strength. |
| B_c | = | Operation and maintenance cost to treat a unit of BOD. |
| S_c | = | Operation and maintenance cost to treat a unit of SS. |
| N_c | = | Operation and maintenance cost to treat a unit of ammonia nitrogen. |
| P_c | = | Operation and maintenance cost to treat any other pollutant. |
| B | = | Amount of BOD from a user above a base level. |
| S | = | Amount of SS from a user above a base level. |
| N | = | Amount of ammonia nitrogen from a user above a base level. |
| P | = | Amount of any other pollutant from a user above a base level. |
| V_U | = | Volume contribution per user per a unit of time. |
| V_T | = | Total volume contribution from all users per a unit of time (does not include infiltration, inflow and unmetereed). |
| I | = | Industrial surveillance cost per a unit of time. |
| I_U | = | Industrial surveillance cost per a unit of industrial volume per a unit of time. |
| R | = | User's charge for operation and maintenance per a unit of time. |
| V_R | = | Total waste water contributed by residential customers per a year. |
| T_C | = | Total number of connections to the system. |

(b) Application. Until amended the following rates or factors shall apply; effective January 1, 1985, and shall be in effect for the calendar years 1985, 1986, 1987, 1988, 1989 ~~and~~ 1990 and 1991:

| | | |
|-------|---|----------------------------|
| V_c | = | \$1.1339 per 1,000 gallons |
| I_U | = | \$0.0539 per 1,000 gallons |
| B_c | = | \$0.0859 per pound |
| S_c | = | \$0.0970 per pound |
| C_c | = | \$2.03 per month |
| N | = | \$0.4474 per pound |

(c) Minimum charge and base level. The minimum charge on any monthly billing for an industrial user shall be \$5.59 and non-industrial user shall be \$5.43. Further, for the purpose of the foregoing formulas, the BOD base level shall be 250 milligrams per liter, and SS base level shall be 300 milligrams per liter, and NH_3-N base level shall be 20 milligrams per liter. The industrial and non-industrial rates and charges will be based on the quantity of water used on or delivered to the property or premises subject to such rates and charges, as the same is measured by the water meters in use and the strength of the waste where applicable except as hereinafter provided.

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 of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council 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. 684, 1990. In Councillor Cottingham's absence, Councillor Holmes reported that the County and Townships Committee heard Proposal No. 684, 1990 on December 6, 1990. The proposal authorizes the officers of the Consolidated City of Indianapolis and Marion County to allow Center Township to borrow money to fund poor relief. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Holmes moved, seconded by Councillor Rhodes, to strike. Proposal No. 684, 1990 was stricken by unanimous voice vote.

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PROPOSAL NO. 685, 1990. Councillor Holmes reported that the County and Townships Committee heard Proposal No. 685, 1990 on December 6, 1990. The proposal authorizes the officers of the Consolidated City of Indianapolis and Marion County to disallow Center Township to borrow money to fund poor relief. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:32 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Rhodes, for adoption. Proposal No. 685, 1990, as amended, was adopted on the following roll call vote; viz:

19 YEAS: Borst, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, West
0 NAYS:

8 NOT VOTING: Boyd, Howard, Irvin, Jones, McGrath, Shaw, Solenberg, Williams

2 NOT PRESENT: Cottingham, Strader

Proposal No. 685, 1990, as amended, was retitled SPECIAL ORDINANCE NO. 18, 1990 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 18, 1990

A SPECIAL ORDINANCE determining not to allow Center Township to borrow money pursuant to IC 12-2-4.5.

WHEREAS, the Auditor of Marion County, Indiana (the "Auditor") has determined that the poor relief account of Center Township in Marion County ("Center Township") will be exhausted before the end of this present fiscal year, and the Auditor has notified the Township Board of Center Township (the "Township Board") of such determination; and

WHEREAS, after receiving such notice from the Auditor, the Township Board appealed to the Board of Commissioners of the County of Marion (the "Board") and the Mayor of the City of Indianapolis, Indiana (the "Mayor") for the right to borrow money on a short term basis to fund poor relief services in Center Township; and

WHEREAS, the Township Board has shown that (i) the amount of money contained in the poor relief account of Center Township will not be sufficient to fund services required to be provided within Center Township under IC 12-2; (ii) the estimated amount of money that will be needed to fund such deficit is an amount of Two Million Dollars (\$2,000,000); and (iii) Center Township will repay such loan by December 31, 1992; and

WHEREAS, the Board, on the 26th day of November, 1990, heard the appeal of the Center Township Board and determined not to loan the requested amount to Center Township; and

WHEREAS, the Mayor, on the 26th day of November, 1990, heard the appeal of the Center Township Board and determined not to loan the requested amount to Center Township; and

WHEREAS, the Board and the Mayor have submitted the request of the Center Township Board to the Auditor who has requested a special meeting of the City-County Council of the City of Indianapolis and Marion County (the "City-County Council"), requesting the City-County Council to allow the borrowing by Center Township; and

WHEREAS, the City-County Council now finds that the appeal of the Center Township Board should not be granted and that the City-County Council should not allow the borrowing by Center Township; now therefore:

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

SECTION 1. The City-County Council hereby determines that the appeal of the Township Board is not granted and that the Auditor is not authorized to borrow money for and on behalf of Center Township to fund the obligations of Center Township incurred in this fiscal year under IC 12-2.

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

PROPOSAL NO. 686, 1990. Councillor Holmes reported that the County and Townships Committee heard Proposal No. 686, 1990 on December 6, 1990. The proposal appropriates \$14,077 for the County Auditor to transfer out of the dormant County Construction Fund into the County General Fund as recommended by the State Board of Accounts. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:34 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Golc, for adoption. Proposal No. 686, 1990 was adopted on the following roll call vote; viz:

- 20 YEAS: *Borst, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, West*
- 0 NAYS:
- 7 NOT VOTING: *Boyd, Howard, Irvin, Jones, Shaw, Solenberg, Williams*
- 2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 686, 1990 was retitled FISCAL ORDINANCE NO. 131, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 131, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Fourteen Thousand Seventy-seven Dollars and Seven Cents (\$14,077.07) into the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the County Construction 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) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor to transfer dormant fund account balances into the County General Fund as recommended by the State Board of Accounts.

SECTION 2. The sum of Fourteen Thousand Seventy-seven Dollars and Seven Cents (\$14,077.07) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

| | |
|---------------------------------|----------------------------|
| <u>COUNTY AUDITOR</u> | <u>COUNTY GENERAL FUND</u> |
| Unappropriated and Unencumbered | |
| County General Fund | <u>\$14,077.07</u> |
| TOTAL INCREASE | \$14,077.07 |

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

| | |
|---------------------------------|---------------------------------|
| | <u>COUNTY CONSTRUCTION FUND</u> |
| Unappropriated and Unencumbered | |
| County Construction Fund | <u>\$14,077.07</u> |
| TOTAL REDUCTION | \$14,077.07 |

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

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PROPOSAL NO. 687, 1990. Councillor Holmes reported that the County and Townships Committee heard Proposal No. 687, 1990 on December 6, 1990. The proposal appropriates \$1,600 for the County Auditor to transfer out of the dormant Economic Development Administration Fund into the County General Fund as recommended by the State Board of Accounts. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:34 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Golc, for adoption. Proposal No. 687, 1990 was adopted on the following roll call vote; viz:

18 YEAS: *Borst, Boyd, Brooks, Clark, Curry, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, McGrath, Moriarty, Rhodes, Ruhmkorff, Schneider, SerVaas, West*
0 NAYS:
9 NOT VOTING: *Coughenour, Dowden, Howard, Irvin, Jones, Mukes-Gaither, Shaw, Solenberg, Williams*
2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 687, 1990 was retitled FISCAL ORDINANCE NO. 132, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 132, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional One Thousand Six Hundred Dollars (\$1,600) into the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Economic Development Administration 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) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor to transfer dormant fund account balances to the County General Fund as recommended by the State Board of Accounts.

SECTION 2. The sum of One Thousand Six Hundred Dollars (\$1,600) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

| <u>COUNTY AUDITOR</u> | <u>COUNTY GENERAL FUND</u> |
|---------------------------------|----------------------------|
| Unappropriated and Unencumbered | |
| County General Fund | <u>\$1,600</u> |
| TOTAL INCREASE | \$1,600 |

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

| | <u>ECONOMIC DEVELOPMENT ADMINISTRATION FUND</u> |
|--|---|
| Unappropriated and Unencumbered | |
| Economic Development Administration Fund | <u>\$1,600</u> |
| TOTAL REDUCTION | \$1,600 |

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

PROPOSAL NO. 688, 1990. Councillor Durnil reported that the Parks and Recreation Committee heard Proposal No. 688, 1990 on November 29, 1990. The proposal appropriates the proceeds of a note of the Park District of the City of Indianapolis in an

amount not to exceed \$3,400,000. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:35 p.m. There being no one present to testify, Councillor Durnil moved, seconded by Councillor Clark, for adoption. Proposal No. 688, 1990 was adopted on the following roll call vote; viz:

17 YEAS: *Borst, Brooks, Clark, Coughenour, Curry, Durnil, Gilmer, Golc, Hawkins, Holmes, McGrath, Moriarty, Mukes-Gaither, Ruhmkorff, SerVaas, Shaw, West*

0 NAYS:

10 NOT VOTING: *Boyd, Dowden, Giffin, Howard, Irvin, Jones, Rhodes, Schneider, Solenberg, Williams*

2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 688, 1990 was retitled FISCAL ORDINANCE NO. 133, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 133, 1990

A FISCAL ORDINANCE appropriating the proceeds of a note of the Park District of the City of Indianapolis, Indiana, in an amount not to exceed Three Million Four Hundred Thousand Dollars (\$3,400,000).

WHEREAS, on November 29, 1990, the Board of Parks and Recreation of the City of Indianapolis, Indiana (the "Board"), being the governing body of the Park District of the City of Indianapolis, Indiana (the "Park District") adopted a resolution authorizing the issuance and sale to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") of the City of Indianapolis Park District Note, Series 1990 A in a principal amount not to exceed Three Million Four Hundred Thousand Dollars (\$3,400,000) (the "Note") for the purpose of procuring funds to refund the City of Indianapolis Park District Note, Series 1988 A, issued in the principal amount of \$2,855,000 (the "Series 1988 A Note"), to fund capitalized interest and to pay the costs of issuance of the Note; and

WHEREAS, there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the aforementioned purposes, and an extraordinary emergency and necessity exists for the making of the additional appropriation set out herein; and

WHEREAS, the Clerk of the City-County Council has caused notice of a hearing on said appropriation to be published as required by law; now, therefore:

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

SECTION 1. The proceeds of the Note in an amount not to exceed Three Million Four Hundred Thousand Dollars (\$3,400,000) are hereby appropriated for the purpose of refunding the Series 1988 A Note, funding capitalized interest and paying costs of issuance of the Note, all as set forth in the resolution of the Board authorizing the issuance of the Note.

SECTION 2. The Clerk of the City-County Council is hereby authorized and directed to certify a copy of this Ordinance together with such other proceedings and actions as may be necessary to the Marion County Auditor for certification to the State Board of Tax Commissioners for the purpose of obtaining the approval of the State Board of Tax Commissioners of the additional appropriation herein made.

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

PROPOSAL NO. 690, 1990. Councillor Dowden stated that he was absent for the Public Safety and Criminal Justice Committee meeting on December 10, 1990 and asked Councillor Holmes to give the Committee report. Councillor Holmes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 690, 1990 on December 10, 1990. The proposal appropriates \$43,107 out of the Home Detention User Fee Fund for the Community Corrections Agency to fund two personnel positions and to purchase electronic

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surveillance equipment. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:37 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Schneider, for adoption. Proposal No. 690, 1990 was adopted on the following roll call vote; viz:

21 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Golc, Holmes, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West*

0 NAYS:

6 NOT VOTING: *Gilmer, Hawkins, Howard, Irvin, Jones, Williams*

2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 690, 1990 was retitled FISCAL ORDINANCE NO. 134, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 134, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) appropriating an additional Forty-three Thousand One Hundred Seven Dollars (\$43,107) in the Home Detention User Fee Fund for purposes of the Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the Home Detention User Fee 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 (aaa) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Community Corrections Agency to fund two personnel positions for the second half of the fiscal year 1990-91 and pay for electronic surveillance equipment.

SECTION 2. The sum of Forty-three Thousand One Hundred Seven Dollars (\$43,107) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

| <u>COUNTY AUDITOR</u> | <u>HOME DETENTION USER FEE FUND</u> |
|------------------------------------|-------------------------------------|
| 1. Personal Services (Fringes) | \$ 2,745 |
| <u>MARION COUNTY COMMUNITY</u> | |
| <u>CORRECTIONS AGENCY</u> | |
| 1. Personal Services | 17,824 |
| 3. Other Services and Charges | <u>22,538</u> |
| TOTAL INCREASE | \$43,107 |

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

| | <u>HOME DETENTION USER FEE FUND</u> |
|---------------------------------|-------------------------------------|
| Unappropriated and Unencumbered | |
| Home Detention User Fee Fund | <u>\$43,107</u> |
| TOTAL REDUCTION | \$43,107 |

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

PROPOSAL NO. 691, 1990. Councillor Holmes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 691, 1990 on December 10, 1990. The proposal appropriates \$50,000 for the County Sheriff to help pay for the unexpected

increase in December 1990 fuel costs for the Sheriff's fleet. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:38 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Hawkins, for adoption. Proposal No. 691, 1990 was adopted on the following roll call vote; viz:

23 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West*

0 NAYS:

4 NOT VOTING: *Howard, Irvin, Jones, Williams*

2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 691, 1990 was retitled FISCAL ORDINANCE NO. 135, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 135, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City- County Fiscal Ordinance No. 88, 1989) appropriating an additional Fifty Thousand Dollars (\$50,000) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (z) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay for December 1990 fuel costs for the Sheriff's fleet, due to a rise in the price of gasoline.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

| <u>COUNTY SHERIFF</u> | <u>COUNTY GENERAL FUND</u> |
|-----------------------|----------------------------|
| 2. Supplies | \$50,000 |
| TOTAL INCREASE | \$50,000 |

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

| | <u>COUNTY GENERAL FUND</u> |
|--|----------------------------|
| Unappropriated and Unencumbered County General Fund | \$50,000 |
| TOTAL REDUCTION | \$50,000 |

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 597, 1990. This proposal amends the Revised Code by adding a new Chapter 346, Drug free school zones. Councillor Dowden reported that Councillor Howard has agreed to postpone this proposal until the next Council meeting; therefore, Councillor Dowden asked for consent to postpone Proposal No. 597, 1990 until January 7, 1991. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 610, 1990. Councillor Holmes reported that the County and Townships Committee heard Proposal No. 610, 1990 on December 6, 1990. The proposal transfers and appropriates \$6,300 for the Warren Township Assessor to pay for a monthly rent increase through the end of 1990. By a 2-1-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Holmes moved, seconded by Councillor West, for adoption. Proposal No. 610, 1990 was adopted on the following roll call vote; viz:

22 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Jones, McGrath, Moriarty, Mukes-Gaither, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West*

1 NAY: *Golc*

4 NOT VOTING: *Howard, Irvin, Rhodes, Williams*

2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 610, 1990 was retitled FISCAL ORDINANCE NO. 136, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 136, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Six Thousand Three Hundred Dollars (\$6,300) in the County General Fund for purposes of the Warren Township Assessor and reducing certain other appropriations for that agency.

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(t) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Warren Township Assessor to pay for a monthly rent increase through the end of 1990.

SECTION 2. The sum of Six Thousand Three Hundred Dollars (\$6,300) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>WARREN TOWNSHIP ASSESSOR</u> | <u>COUNTY GENERAL FUND</u> |
|---------------------------------|----------------------------|
| 3. Other Services and Charges | <u>\$6,300</u> |
| TOTAL INCREASE | \$6,300 |

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

| <u>WARREN TOWNSHIP ASSESSOR</u> | <u>COUNTY GENERAL FUND</u> |
|---------------------------------|----------------------------|
| 1. Personal Services | <u>\$6,300</u> |
| TOTAL REDUCTION | \$6,300 |

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

President SerVaas recessed the City-County Council at 9:40 p.m. for purposes of convening the Solid Waste Collection Special Service District Council.

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL

PROPOSAL NO. 660, 1990. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 660, 1990 on November 29, 1990. The proposal transfers and appropriates \$100,000 for the Department of Public Works, Solid Waste Division, to

provide funding for the additional costs associated with the seasonal pick-up of leaves and to pay the increased cost of employee insurance. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Boyd, for adoption. Proposal No. 660, 1990 was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Brooks, Clark, Coughenour, Curry, Durnil, Giffin, Gilmer, Golc, Holmes, Howard, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West

0 NAYS:

4 NOT VOTING: Dowden, Hawkins, Irvin, Williams

2 NOT PRESENT: Cottingham, Strader

Proposal No. 660, 1990 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1990 and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1990

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Solid Waste Collection Special Service District Annual Budget for 1990 (Solid Waste Collection Special Service District Fiscal Ordinance No. 1, 1989) transferring and appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Solid Waste Collection Service District Fund for purposes of the Solid Waste Collection Special Service District and reducing certain other appropriations for that District.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the Solid Waste Collection Special Service District Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Solid Waste Collection Special Service District to fund additional costs associated with fall pick up of leaves and to pay for increases in employee insurance.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

| <u>DEPARTMENT OF PUBLIC WORKS</u> | <u>SOLID WASTE COLLECTION SERVICE DISTRICT FUND</u> |
|-----------------------------------|---|
| 1. Personal Services | <u>\$100,000</u> |
| TOTAL INCREASE | \$100,000 |

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

| <u>DEPARTMENT OF PUBLIC WORKS</u> | <u>SOLID WASTE COLLECTION SERVICE DISTRICT FUND</u> |
|-----------------------------------|---|
| 3. Other Services and Charges | <u>\$100,000</u> |
| TOTAL REDUCTION | \$100,000 |

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

There being no further business before the Solid Waste Special Service District Council, the President reconvened the City-County Council at 9:45 p.m.

FINAL ADOPTION

PROPOSAL NO. 662, 1990. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 662, 1990 on November 29, 1990. The proposal approves the Board of Public Works resolution declaring certain sewer service final accounts as uncollectible and authorizing the cessation of further collection efforts. By a 6-0 vote, the

December 10, 1990

Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Boyd, for adoption. Proposal No. 662, 1990 was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Durnil, Giffin, Gilmer, Golc, Holmes, Howard, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West, Williams*

0 NAYS:

3 NOT VOTING: *Dowden, Hawkins, Irvin*

2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 662, 1990 was retitled GENERAL RESOLUTION NO. 15, 1990 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 15, 1990

A GENERAL RESOLUTION approving Board of Public Works Resolution No. 2915-1990, a Resolution Declaring Certain Sewer Service Final Accounts as Uncollectible and Authorizing the Cessation of Further Collection Efforts.

WHEREAS, the City-County Council has the authority, pursuant to IC 36-9-25-11.7, effective March 1, 1988, and Section 27-115 of the Code of Indianapolis and Marion County, Indiana, as amended effective May 17, 1988, of final approval of all Board of Public Works resolutions deeming as uncollectible FINAL sewer service accounts for which the outstanding balance is twenty-five dollars (\$25.00) or less, which are at least 120 days delinquent, and which the Department of Public Works has determined to be uncollectible;

WHEREAS, at its regularly scheduled meeting on October 15, 1990 the Board of Public Works approved and adopted Resolution No. 2915-1990, a resolution declaring the accounts listed in the attached Schedule of Uncollectible Final Accounts as uncollectible and authorizing the cessation of further collection efforts;

WHEREAS, the Schedule of Uncollectible Final Accounts attached to that resolution contains approximately 2237 separate accounts totalling approximately \$27,843.82. Such final accounts have balances of twenty-five dollars (\$25.00) or less, are at least 120 days delinquent, have been closed since before January 1, 1988, and have been determined by the Department of Public Works to be uncollectible;

WHEREAS, Board of Public Works Resolution No. 2915-1990 and the Board of Public Works action thereon fulfill all the requirements of Section 27-115 of the Code of Indianapolis and Marion County, Indiana, except for approval by the City-County Council; and

WHEREAS, a copy of Board of Public Works Resolution No. 2915-1990 is attached hereto; now, therefore:

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

SECTION 1. The City-County Council hereby approves Board of Public Works Resolution No. 2915-1990, declares that the accounts listed in the certified Schedule of Uncollectible Final Accounts which is a part of that resolution are deemed uncollectible and further authorizes and directs the Department of Public Works to cease collection procedures and to expense the amounts outstanding on such accounts as bad debts.

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

PROPOSAL NO. 689, 1990. Councillor Holmes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 689, 1990 on December 10, 1990. The proposal transfers and appropriates \$2,683 for the Superior Court, Civil Division, Room 2, to purchase cordless microphones, receivers and a terminal for JUSTIS II. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Holmes moved, seconded by Councillor Howard, for adoption. Proposal No. 689, 1990 was adopted on the following roll call vote; viz:

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23 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Jones, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, SerVaas, Shaw, Solenberg, West, Williams*

0 NAYS:

4 NOT VOTING: *Durnil, Irvin, McGrath, Schneider*

2 NOT PRESENT: *Cottingham, Strader*

Councillor McGrath abstained due to a possible conflict of interest.

Proposal No. 689, 1990 was retitled FISCAL ORDINANCE NO. 137, 1990 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 137, 1990

A FISCAL ORDINANCE amending the City-County Annual Budget for 1990 (City-County Fiscal Ordinance No. 88, 1989) transferring and appropriating an additional Two Thousand Six Hundred Eighty-three Dollars (\$2,683) in the County General Fund for purposes of the Superior Court, Civil Division, Room 2 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 (mm) of the City-County Annual Budget for 1990, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Civil Division, Room 2 to purchase cordless microphones, receivers and a terminal for Justis II.

SECTION 2. The sum of Two Thousand Six Hundred Eighty-three Dollars (\$2,683) be, and the same is hereby transferred, for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>SUPERIOR COURT, CIVIL DIVISION, ROOM 2</u> | <u>COUNTY GENERAL FUND</u> |
|---|----------------------------|
| 4. Capital Outlay | <u>\$2,683</u> |
| TOTAL INCREASE | \$2,683 |

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

| <u>SUPERIOR COURT, CIVIL DIVISION, ROOM 2</u> | <u>COUNTY GENERAL FUND</u> |
|---|----------------------------|
| 3. Other Services and Charges | <u>\$2,683</u> |
| TOTAL REDUCTION | \$2,683 |

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

PROPOSAL NO. 692, 1990. Since Councillor Holmes was on the minority side with this proposal vote he asked Councillor Borst to give the Committee report. Councillor Borst reported that the Public Safety and Criminal Justice Committee heard Proposal No. 692, 1990 on December 10, 1990. The proposal amends the Code prohibiting the keeping of horses and certain other animals in certain locations. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Borst moved, seconded by Councillor Shaw, to strike. Proposal No. 692, 1990 was stricken on the following roll call vote; viz:

19 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Jones, McGrath, Mukes-Gaither, Ruhmkorff, Schneider, Shaw, Solenberg, Williams*

5 NAYS: *Curry, Holmes, Howard, Moriarty, West*

3 NOT VOTING: *Irvin, Rhodes, SerVaas*

2 NOT PRESENT: *Cottingham, Strader*

December 10, 1990

PROPOSAL NO. 693, 1990. Councillor Holmes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 693, 1990 on December 10, 1990. The proposal amends the Code concerning dog licenses. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Holmes moved, seconded by Councillor Dowden, for adoption. Proposal No. 693, 1990 was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West, Williams*

0 NAYS:

1 NOT VOTING: *Irvin*

2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 693, 1990 was retitled GENERAL ORDINANCE NO. 147, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 147, 1990

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County concerning dog licenses.

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, specifically section 6-72, be and is hereby amended by adding the underlined text to read as follows:

Sec. 6-72. Application; vaccination certificate.

Applications for dog licenses shall state the name and address of the owner of the dog, the dog's breed, color, sex, age, and name, and shall be accompanied by a certificate of rabies vaccination by a veterinarian within the immediately preceding twelve (12) months. Provided, that if the application is the first made under this division and the vaccination occurred outside the State of Indiana, the certificate of a licensed veterinarian of that State shall be acceptable.

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

Councillor Gilmer asked for consent to hear Proposal Nos. 666 and 694, 1990. Consent was given.

PROPOSAL NO. 666, 1990. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 666, 1990 on November 21, 1990. The proposal, sponsored by Councillor Rhodes, amends the Code by authorizing intersection controls at Indianola Avenue and 61st Street. The Committee did not have a quorum so no vote was taken. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 666, 1990 was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Boyd, Brooks, Clark, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Solenberg, West, Williams*

0 NAYS:

3 NOT VOTING: *Howard, Irvin, Shaw*

2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 666, 1990 was retitled GENERAL ORDINANCE NO. 148, 1990 and reads as follows:

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CITY-COUNTY GENERAL ORDINANCE NO. 148, 1990

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|---------------------------|---------------------|------------------------|
| 11, Pg. 8 | Indianola Ave. & 61st St. | Indianola Ave. | Stop |

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

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|---------------------------|---------------------|------------------------|
| 11, Pg. 8 | Indianola Ave. & 61st St. | 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. 694, 1990. This proposal amends the Code by authorizing intersection controls at Eugene and Rader Streets. Councillor Gilmer reported that Councillor Howard sponsored this proposal and the Department of Transportation staff has approved the placement of stop signs at this intersection. Councillor Gilmer moved, seconded by Councillor Howard, for adoption. Proposal No. 694, 1990 was adopted on the following roll call vote; viz:

20 YEAS: *Boyd, Coughenour, Durnil, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Jones, McGrath, Moriarty, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, West, Williams*

1 NAY: *Curry*

6 NOT VOTING: *Borst, Brooks, Clark, Dowden, Irvin, Mukes-Gaither*

2 NOT PRESENT: *Cottingham, Strader*

Proposal No. 694, 1990 was retitled GENERAL ORDINANCE NO. 149, 1990 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 149, 1990

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|------------------------|---------------------|------------------------|
| 17, Pg. 5 | Eugene St. & Rader St. | Eugene St. | Stop |

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

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| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|---------------------------|---------------------|------------------------|
| 17, Pg. 5 | Eugene St. & Rader St. | None | Stop |

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

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas stated that he would like to clear the calendar by the end of the year. He asked all committee chairpersons to let him or Ms. Rippy-Dick know if there is a pending proposal that they would like considered next year; otherwise, the old proposals will be deleted from the calendar.

The President announced that Stephen R. West has been chosen as the Republican caucus leader at a political caucus on the 10th day of December, 1990, and Rozelle Boyd has been chosen as the Democrat caucus leader at a political caucus on the 10th day of December, 1990.

The President stated that several months ago he urged the Police Department to see if parking could be eliminated in front of the Police Station. At that time the Police Department assured him that that is not possible. He has asked Ms. Rippy-Dick to again bring the matter of parking in front of the Police Station before the proper authorities because he was hit broadside by a car that had been parked in front of the Police Station as he was coming into the City-County Building to park for this Council meeting.

The President thanked everyone for their cooperation during this past year.

There being no further business, upon motion duly made and seconded, the meeting adjourned at 10:14 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 10th day of December, 1990.

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)