

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

**REGULAR MEETINGS
MONDAY, NOVEMBER 23, 1987**

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 7:00 p.m., on Monday, November 23, 1987, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

President SerVaas announced that a quorum of twenty-eight members was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Boyd introduced newly elected Democratic members for 1988, Jeff Golc, Paul Jones, and Mary Moriarty.

ADOPTION OF THE AGENDA

Consent was given to the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of November 23, 1987, as distributed.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, November 23, 1987, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

November 10, 1987

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 12, 1987, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 386, 400, 402, 610, 611 and 619, 1987, to be held on Monday, November 23, 1987, at 7:00 p.m., in the City-County Building.

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

November 6, 1987

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 12, 1987, a copy of PUBLIC NOTICE TO RESIDENTS regarding License Regulations (87-1) of the Controller of the City of Indianapolis.

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

November 23, 1987

November 6, 1987

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 12, 1987, a copy of LEGAL NOTICE regarding City-County General Ordinance No. 98, 1987.

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

November 23, 1987

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

Ladies and Gentlemen:

In accordance with State Statute, "Call and Notice of Meeting of the City-County Council of the City of Indianapolis, Indiana" has been given by Curtis L. Coonrod, Auditor of Marion County, Indiana. The notice is for purposes of considering a proposed Special Ordinance authorizing the making of a loan by the County of Marion and the issuance and sale of general obligation judgment funding bonds of the County to fund said loan, in an amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) for the purpose of procuring funds to satisfy certain obligations of the Marion County Department of Public Welfare.

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

November 11, 1987

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

Ladies and Gentlemen:

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

GENERAL ORDINANCE NO. 105, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 106, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 107, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

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GENERAL ORDINANCE NO. 108, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets, 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, Section 29-283, Parking meter zones designated and Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

GENERAL ORDINANCE NO. 109, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 110, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 111, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 112, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 113, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-270, Parking prohibited during specified hours on certain days.

SPECIAL ORDINANCE NO. 18, 1987, authorizing the amendment of certain financing documents concerning the previously issued City of Indianapolis, Indiana Airport Facility Revenue Bonds (Purolator Courier Corporation Project) Series 1984 and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 64, 1987, honoring Ben Davis Junior High School for receiving the U.S. Department of Education National Excellence in Education for the school year 1986-1987.

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

ADOPTION OF JOURNALS

President SerVaas called for additions or corrections to the Journals of February 23, March 9, March 23, April 13, April 27, May 11, June 8, June 22, July 20 and August 3, 1987. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 634, 1987. This proposal approves a schedule of regular council meetings for the year 1988. Councillor Coughenour questioned why the first schedule meeting was so close to the beginning of the year. Mr. Robert Elrod, General Counsel, replied that this would permit the Council to meet as soon as possible in the year to organize various committees, etc. Councillor Gilmer moved, seconded by Councillor Curry, for adoption. Proposal No. 634, 1987, was adopted by a unanimous voice vote.

Proposal No. 634, 1987, was retitled COUNCIL RESOLUTION NO. 26, 1987, and reads as follows:

November 23, 1987

CITY-COUNTY COUNCIL RESOLUTION NO. 26, 1987

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1988.

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

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 1988:

- | | |
|-------------------------------|---------------------------------|
| 1) Monday - January 4, 1988 | 12) Monday - July 25, 1988 |
| 2) Monday - January 25, 1988 | 13) Monday - August 8, 1988 |
| 3) Monday - February 8, 1988 | 14) Monday - August 22, 1988 |
| 4) Monday - February 29, 1988 | 15) Monday - September 12, 1988 |
| 5) Monday - March 14, 1988 | 16) Monday - September 26, 1988 |
| 6) Monday - April 11, 1988 | 17) Monday - October 10, 1988 |
| 7) Monday - April 25, 1988 | 18) Monday - October 24, 1988 |
| 8) Monday - May 9, 1988 | 19) Monday - November 14, 1988 |
| 9) Monday - May 23, 1988 | 20) Monday - November 28, 1988 |
| 10) Monday - June 13, 1988 | 21) Monday - December 12, 1988 |
| 11) Monday - June 27, 1988 | |

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

PROPOSAL NO. 643, 1987. This proposal honors the Ben Davis High School "Marching Giants". Councillor Cottingham, co-sponsor, read the resolution and presented a framed document to Mr. Jim Butts, Director. Mr. Butts stated that he has an outstanding group of band students and staff and was very proud to receive this honor. He expressed his appreciation for the Council in taking time to recognize the "Marching Giants" in such a large city as in Indianapolis.

Councillor Cottingham moved, seconded by Councillor Gilmer, for adoption. Proposal No. 643, 1987, was adopted by a unanimous voice vote.

Proposal No. 643, 1987, was retitled SPECIAL RESOLUTION NO. 65, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1987

A SPECIAL RESOLUTION honoring the Ben Davis High School "Marching Giants".

WHEREAS, the Ben Davis High School "Marching Giants" won the 1987 class A ISSMA (Indiana State School Music Association) State Championship for the fourth consecutive year; and

WHEREAS, the Ben Davis High School "Marching Giants" have become the first band in Indiana to win twelve total state championships; and

WHEREAS, the Ben Davis High School Band has achieved additional honors through its participation in the Tournament of Roses Parade, the King Kamehameha Parade, the 1987 Pan American Games Opening Ceremonies and the 1985 Presidential Inaugural Parade; and

WHEREAS, Ben Davis High School is celebrating its fiftieth (50) anniversary of band and instrumental music this year; 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 hereby honors and recognizes the Ben Davis High School "Marching Giants" for their outstanding record of four consecutive class A state championships and twelve total state championships since 1960.

SECTION 2. The Council further extends its congratulations for fifty years of musical excellence at Ben Davis High School.

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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. 644, 1987. This proposal authorizes the officers of the Consolidated City of Indianapolis and Marion County to appeal to the State Board of Tax Commissioners for an increase in the tax rate and levy.

Councillor Cottingham explained that he is a member of the Marion County Tax Board and he was opposed to the decision made by the Tax Board on October 30, 1987. He stated that because the the City-County Council had approved the 1988 budget for Marion County, he did not agree with the Board reducing and modifying the budget. Councillor Cottingham moved, seconded by Councillor Durnil, for adoption. Proposal No. 644, 1987, was adopted by a unanimous voice vote.

Proposal No. 644, 1987, was retitled SPECIAL RESOLUTION NO. 66, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 1987

A SPECIAL RESOLUTION authorizing the officers of the Consolidated City of Indianapolis and Marion County to appeal to the State Board of Tax Commissioners for an increase in the tax rate and levy as fixed by the County Board of Tax Adjustment and for an approval of a tax rate and levy sufficient to fund certain appropriations as originally submitted to the Marion County Board of Tax Adjustment.

WHEREAS, on October 30, 1987, the Marion County Board of Tax Adjustment modified and reduced the budgets of Marion County for the calendar year 1988; and

WHEREAS, unless the tax rate and levy are increased to provide funding for the budgets as submitted to the Marion County Board of Tax Adjustment, the County, the Consolidated City and those agencies whose budgets are approved by the City-County Council will have insufficient funds to carry out their governmental functions during the calendar year 1988; and

WHEREAS, the County and the Consolidated City may appeal to the State Board of Tax Commissioners the decision of the County Board of Tax Adjustment by filing a statement of objections with the State Board of Tax Commissioners within ten days after publication by the County Board of Tax Adjustment of the notice of tax rates; and

WHEREAS, the City-County Council must authorize the filing of the statement of objections by adopting a resolution; now, therefore:

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

SECTION 1. The Mayor of the City and the President of the City-County Council are hereby authorized to prepare and file a statement of objections with the State Board of Tax Commissioners, thereby appealing for an increase in the tax rate and levy relevant to all budgets adopted or approved by the City-County Council in a manner which is sufficient to fund those budgets as originally submitted to the Marion County Board of Tax Adjustment.

SECTION 2. The Mayor of the City and the President of the City-County Council are hereby authorized to prepare and file a statement of objections with the State Board of Tax Commissioners, thereby appealing for a reestablishment of all budgets submitted to the Marion County Board of Tax Adjustment.

SECTION 3. The Mayor of the City and the President of the City-County Council are hereby authorized to execute such documents and furnish such information as may be necessary or proper to initiate and prosecute the appeal authorized by this Resolution.

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

PROPOSAL NO. 645, 1987. This proposal concurs in the dedication of the west plaza area of the City Market as the Charles L. Whistler Memorial Plaza.

Councillor Durnil stated that Proposal No. 645, 1987, should be referred to the Metropolitan Development Committee so that the Council would know why the City Market is going to be dedicated.

Mr. Mike Higbee, Director for the Department of Metropolitan Development, stated that the Greater Indianapolis Progress Committee recommended the memorial plaza.

Councillor Williams questioned the fairness of recognizing the west plaza as a memorial, when the status of the City Market is still pending.

Councillor West said that he appeared before the Commission and was in concurrence with dedicating the west plaza for Mr. Whistler.

Councillor Durnil indicated that he had served on the Commission with Mr. Whistler and felt that through Mr. Whistler's leadership, the development of the downtown area had begun. Councillor Durnil stressed his dissatisfaction with creating a memorial until some assurance was made evident as to the future of the plaza.

Councillor Durnil moved, seconded by Councillor Howard, to send Proposal No. 645, 1987, to the Metropolitan Development Committee for discussion. Consent was given.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 635, 1987. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the lease of parking space for the Department of Administration, Central Equipment Management Division"; and the President referred it to the Administration Committee.

PROPOSAL NO. 636, 1987. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving the issuance of temporary tax anticipation time warrants for the City of Indianapolis during the period of January 1, 1988, to December 31, 1988"; and the President referred it to the Administration Committee.

PROPOSAL NO. 637, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving the issuance of temporary tax anticipation time warrants for the County General Fund and the County Welfare Fund during the period of January 1, 1988 to December 31, 1988"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 638, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance and sale of bonds of Marion County for the purpose of procuring funds to satisfy certain judgment obligations"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 639, 1987. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the amounts, locations and programmatic operations of certain projects to be funded

from Community Development Grant Funds"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 640, 1987. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$50,000 for the Marion County Justice Agency to cover contractual costs and to purchase new equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 641, 1987. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection control changes at Pennsylvania Street and 57th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 642, 1987. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection control changes at Bosart Avenue and 20th Street"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 646, 1987. This proposal stats certain regulations by the City Controller promulgated on November 5, 1987, as License Regulation 87-1.

PROPOSAL NO. 647, 1987. This proposal amends the Code regulating outdoor retail sales of beverages, flowers and food carts. Councillor West explained that in order to keep the proposed regulation from becoming law, action must be taken thirty days after promulgation. Councillor West stated that Mr. Fred Armstrong, City Controller, has decided to withdraw his all of the regulations pertaining to outdoor retail sales of beverages, flowers and food carts. Proposal No. 646, 1987, will deny and strike the regulations promulgated on November 5, 1987, and Proposal No. 647, 1987, will provide the new regulations.

The Administration Committee on November 19, 1987, recommended Proposal No. 646 and 647, 1987, Do Pass by a vote of 5-0.

Councillor Clark requested that the City Market's vendors be recognized and protected in the new regulations, so that their authority to do business is not infringed upon.

Councillor West moved, seconded by Councillor McGrath, for adoption. Proposal Nos. 646 and 647, 1987, were adopted by the following roll call vote; viz:

24 YEAS: Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, Ser-Vaas, Shaw, Stewart, Strader, West

2 NAYS: Borst, Howard

3 NOT VOTING: Durnil, Page, Williams

Proposal No. 646, 1987, was retitled GENERAL RESOLUTION NO. 22, 1987, and reads as follows:

November 23, 1987

CITY-COUNTY GENERAL RESOLUTION NO. 22, 1987

A GENERAL RESOLUTION staying certain regulations by the City Controller promulgated on November 5, 1987, as License Regulation 87-1.

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 stays indefinitely the effective date of License Regulation 87-1 as promulgated by the City Controller on November 5, 1987.

SECTION 2. The said regulations pursuant to Section 2-4 of the Code of Indianapolis and of Marion County shall be of no effect until further action by this Council.

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

Proposal No. 647, 1987, was retitled GENERAL ORDINANCE NO. 114, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 1987

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Article XXIII of Chapter 17, Regulating Outdoor Retail Sales of Beverages, Flowers and Food From Carts.

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 portions of Article XXIII of Chapter 17, be, and the same is hereby amended by deleting the cross-hatched text and inserting the underlined text as follows:

Sec. 17-808. Area and times of operation.

(a) Location restricted. Carts licensed pursuant to this article may be operated only in the geographic area bounded as follows: North - 16th Street; East - East Street/Central Street; South - South Street; West (going from south to north) - West Street, West Washington Street, White River, Fall Creek.

(b) Zones. Until December 31, 1988, the seventeen (17) zones previously established by the controller shall continue for beverages, food, and flowers sold from carts. Up to three (3) licenses may be assigned to any one (1) zone. Except where more existed on November 1, 1987, in any one (1) zone two will be for food, beverage, or both; and one (1) for flowers. Assignment of each license to a particular zone shall be made by the controller, when a new license is issued.

(c) House of operation. Operators of carts selling food, beverages, or flowers shall place their carts for operation only as allowed by the following schedule:

Monday thru Friday:

6:00 a.m. to 11:00 a.m.
1:30 p.m. to 6:00 p.m.

Anywhere in the licensee's assigned zone except as restricted below.

11:00 a.m. to 1:30 p.m.

Carts from which food or beverage are sold may be placed for operation only within two (2) locations specified by the controller in each zone. One zone shall be on or directly abutting a public park or plaza within such zone as directed by the controller. The boundaries of these locations shall be defined by the controller. In each zone, the controller, shall schedule the two (2) carts for the locations in such a manner so that each licensee has approximately equal access to business opportunities. (e.g. each cart at one location on alternate days)

6:00 p.m. to 6:00 a.m.

Any zone designated except as restricted by this Article or other applicable law or regulation or order of the controller.

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Saturday and Sunday

Any zone designated except as restricted by this Article or other applicable law or regulation or order of the controller.

The date of holiday observance of Memorial Day, Independence Day and Labor Day shall be the date established by the city-county council; or, of no date is established by the council, by state law.

(d) Separation of carts. A cart may not be placed for operation at a location within forty (40) feet of a place where another cart is placed for operation. Where two (2) or more carts are so located, the cart which has been most recently located in violation of this provision shall be required to move so as not to be in violation.

(e) Prohibited locations. A cart may not be placed for operation at a location directly in front of the primary entrance to a retail business, office building or church. The area in which a cart may not be placed is defined by the doorway line, lines running on either side of the door to the nearest curb, and the curb lines.

(f) City Market Square. During the hours from 6:00 a.m. to 6:00 p.m., Mondays through Saturday, except holidays when the City of Indianapolis offices or Marion County offices are closed, carts may not be located or operated within an area bounded as follows:

North - the North right-of-way line of Ohio Street;
South - the South right-of-way line of Market Street;
West - the West right-of-way line of Delaware Street; and
East - the East right-of-way line of Alabama Street.

(g) Public festivals. Carts may not be operated or located in the area used for an outdoor public festival, or within four hundred (400) feet of such area unless the controller gives written permission. This written permission may set forth requirements and conditions which must be met by licensees.

Sec. 17-809. Restrictions on operation

Each licensee, his agents and employees, shall comply with the following restrictions on cart operation:

- (1) Only beverages, flowers and food may be carried on or sold from a cart.
- (2) No cart may be located in any public park or plaza, without written authorization from the governmental agency with general jurisdiction or control over said park or plaza.
- (3) The licensee, his agents and employees shall be required to obey the commands of law enforcement officers or firemen with respect to activity carried out on the sidewalks or public area, including the removal of the cart and cessation of such retail sales.
- (4) The cart must be taken from the sidewalk or public area when such retail sales are not being conducted.
- (5) No cart may be permanently or temporarily affixed to any fixed object, including but not limited to buildings, trees, signs, telephone poles, streetlight poles, traffic-signal poles or fire hydrants.
- (6) Efforts shall be made by the licensee to protect the sidewalk or public area against littering. Each cart must have an adequate trash receptacle which is emptied sufficiently often to allow disposal of litter and waste by the public at any time. The trash receptacle on the cart shall not be emptied into trash receptacles owned by the city.
- (7) Such retail sales shall not be accomplished by crying out or hawking.
- (8) Pedestrians shall not be exposed to any undue safety or health hazard nor shall a public nuisance be created.
- (9) A device may not be used which would amplify or direct sound and attention may not be drawn to such retail sales by any aural means or a light-producing device.
- (10) Such retail sales may not be made to any person in or on any motorized vehicle.
- (11) Beverages, dispensed in disposable cans, shall have any separable opening tabs removed at the time the cans are sold, unless otherwise requested by the purchaser.
- (12) The operator of a cart may not dispense beverages or food on the same side of the street within fifty (50) feet of a primary entry way into a ground level retail food establishment unless written approval is first obtained from the operator of such establishment and filed with office of the controller. The

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operator of a cart may not sell flowers on the same side of the street within fifty (50) feet of a primary entry way into a ground level retail flower establishment unless written approval is first obtained from the operator of such establishment and filed with the office of the controller.

- (13) No cart may be located or make such retail sales in that part of a right-of-way utilized for motor vehicle traffic (commonly referred to as a street), a street median strip or an alleyway.
- (14) Carts may be placed and such retail sales may be made only on sidewalks which provide at least fourteen (14) feet of width from the curb line to the property line; provided that, a person licensed under this article may petition the city controller to allow operation of a cart on a specified sidewalk having a width of less than fourteen (14) feet. Such petition may be approved by the city controller only after the department of transportation and the department of metropolitan development have approved the petition.
- (15) No cart may be placed nor may such retail sales be made twenty (20) feet of any posted bus stop, taxi stand, crosswalk, driveway or alleyway, within twenty (20) feet of the point at which the right-of-way lines of two (2) or more streets intersect or within six (6) feet of any building entrance, display window or walk-up window.
- (16) Each cart must prominently display the license allowing such retail sales for public inspection at all times.
- (17) Each cart is to be operated by one and only one person and shall not be left unattended.
- (18) No cart may be parked or located nor may beverages, flowers or food be dispensed in a manner which would significantly impede or prevent the use of any sidewalk or public area, or which would endanger the safety or property of the public.
- (19) No cart may be used to advertise the product or service of another.
- (20) No cart shall display advertising decals or decorative embellishments not included in the original design approval.
- (21) Each cart shall be maintained free and clear of dirt, and finishes shall not be chipped, faded or unduly marred.
- (22) Foods which present a substantial likelihood that liquid matter, particles or part of the food will drop to the street or sidewalk during the process of carrying or eating the food, shall be sold in proper containers.
- (23) All carts licensed to sell food or beverages must place a non-porous material on the sidewalk beneath their carts in order to prevent spillage from the cart, staining or otherwise damaging the area around the carts. Acceptable materials include artificial turf, grass mats, or indoor/outdoor carpeting.
- (24) All operators of food carts licensed as peddlers pursuant to Article XXIII of the Code of Indianapolis and Marion County, Indiana, are also required to place a non-porous material beneath their carts in order to prevent staining or other damage to the area around the cart. Acceptable materials include artificial turf, grass mats, or indoor/outdoor carpeting.
- (25) Carts may not make use of any public or private electrical outlet while in operation or while located on a street or sidewalk.

Sec. 17-810. Restrictions on operation imposed by regulation.

The controller, with the advice and consent of the cart licensure commission, may by regulation impose appropriate conditions on the operation of carts by a licensee, his agent or employee in order to further the purposes of this article.

- (1) The controller may by regulation shall in accordance with this Article limit the locations at which a cart may be operated or times during which a cart may be operated. (For example, the controller may require that the cart confine its operation to a specified area and forbid operation at certain times on specified sidewalks where there is a very high pedestrian traffic.) The locations and time limits established by the controller for one license may be different than those established for other license, but insofar as it is practical to do so, the controller shall establish limits for the various license that allow approximately the same amount of potential business for each licensee. The controller may at any time make changes in the limits for location and time, but he shall normally change such limits at the end of the license term.

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- (2) The controller may by regulation limit shall designate the kind of food, flowers and beverages which may be sold. (For example, the controller may require that the cart confine its retail sales to the sale of flowers) The limits on the kind of retail sales which may be carried out established by the controller for one license may be different from those established for other licenses. The controller may make changes in the limits on the kind of retail sales which may be carried out at the end of the license term.
- (3) The controller may by regulation forbid operation of a cart of specified distance from an outdoor public festival or require that the licensee meet additional requirements imposed on all vendors by the organizers of an outdoor public festival.
- (4) The controller may by regulation require compliance with other reasonable conditions.

Sec. 17-823. Restrictions on number of cart licenses.

(a) The controller shall determine the total number of carts which may be licensed based upon public convenience and necessity. In deciding the question of public convenience and necessity, each on consideration of the following shall be considered:

- (1) The effect on pedestrian flow and safety in public areas and sidewalks;
- (2) The effect on promoting pedestrian traffic and making the downtown visually more attractive;
- (3) The effect upon the business of existing licensees and other retail sales of beverages, flowers and food;
- (4) Whether the public is being adequately served by existing licenses and other retail sale of food, flowers or beverages;
- (5) Such other factors as the controller deems necessary.

(b) In no event shall the number of licensed carts exceed fifty-one (51), no more than thirty-five (35) of which shall be for sale of food and beverages.

(c) The controller shall report in writing to the city-county council by the fifteenth day of January of each calendar year the number of licensed carts in the city on the last day of December of the preceding calendar year.

Sec. 17-827. Issuance of original license; fee.

(a) The controller may issue a license if the applicant meets all of the requirements of this article and issuance would further the objectives of this article. If applications are received for a number of licenses in excess of the number available for issuance, the decision of the controller about issuance shall be the controller shall issue licenses first to qualified prior licensees and secondly any additional licensees based on a determination of which applications best meet the objectives of this article.

(b) Each original application for a license for a cart shall be accompanied by an application fee of two hundred dollars (\$200.00). If additional licenses are not available, the controller shall refund the entire application fee. In the event the action upon the application is favorable, the application fee shall be retained by the controller as the first annual fee. In the event of an unfavorable action on a denial of the application, for reasons other than unavailability, one hundred dollars (\$100.00) of the application fee shall be refunded with the remainder being retained to defray the administrative expense incurred in investigating and processing the application.

Sec. 17-836. Issuance of renewal license.

(a) Any licensee under this division who is not in violation of any provision and has met all of the requirements of this article shall be entitled to a renewal license for that cart for the following year for 1988 only, upon application and payment of a one hundred dollar (\$100.00) license fee.

(b) During 1988, licensees who were assigned a zone of operation prior to November 1, 1987, shall be entitled to continue operation in that zone for the calendar year 1988 only.

(c) After January 1, 1989, no zone assignments shall be enforced by the controller unless authorized by ordinance.

SECTION 2. Section 17-807 of the "Code of Indianapolis and Marion County, Indiana," is hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after December 15, 1987.

November 23, 1987

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 648 - 655, 1987. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 19, 1987". Councillor Borst requested that Proposal No. 651, 1987, be scheduled for public hearing by the Council at their December 21, 1987, meeting. Consent was given. The Council did not schedule Proposal Nos. 648 - 650, 652 - 655, 1987, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 648, 650, 652 - 655, 1987, were retitled REZONING ORDINANCE NOS. 202 - 208, 1987, take effect thirty days after the respective certification, and read as follows:

REZONING ORDINANCE NO. 202, 1987. 87-Z-159 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
1702 SOUTH FRANKLIN ROAD, INDIANAPOLIS.
Crossroads Community Church requests the rezoning of approximately 10 acres, being in the A-2 district, to the SU-1 classification, to provide for church use.

REZONING ORDINANCE NO. 203, 1987. 87-Z-181 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
7905 HAGUE ROAD, INDIANAPOLIS.
First Church of Christ, Scientist, requests the rezoning of 1.0 acre, being in the SU-2 district, to the SU-1 classification, to provide for church use.

REZONING ORDINANCE NO. 204, 1987. 87-Z-193 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4
9445 THREEEL ROAD, INDIANAPOLIS.
Jonathon's Development Company, by Louis H. Borgmann, request the rezoning of 3.2 acres, being in the C-4 district, to the C-5 classification, to provide for the sale of new and used cars.

REZONING ORDINANCE NO. 205, 1987. 87-Z-209 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
230 SOUTH MUESING ROAD, INDIANAPOLIS.
Harold L., Roy L., and Ray R. Schreiber, by Phillip Bayt, request the rezoning of approximately 12.5 acres, being in the I-2-S, C-5, SU-1, A-2 and I-3-U districts, to the I-5-S classification, to provide for the expansion of lumber yard.

REZONING ORDINANCE NO. 206, 1987. 87-Z-211 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
265 EAST SOUTHPORT ROAD, INDIANAPOLIS.
South Central Indiana Church of Christ, Inc., requests the rezoning of approximately 5 acres, being in the A-s district, to the SU-1 classification, to conform zoning to its use as a church.

REZONING ORDINANCE NO. 207, 1987. 87-Z-216 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22
1051 CARROLLTON AVENUE, INDIANAPOLIS.
Peter J. Page, by Mark E. Maddox, requests the rezoning of 0.5 acre, being in the I-3-U district, to the C-1 classification, to provide for office use.

REZONING ORDINANCE NO. 208, 1987. 87-Z-218 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 17
3401 WEST 16TH STREET, INDIANAPOLIS.
MWM, by Mary E. Solada, requests the rezoning of 0.75 acre, being in the C-5 district, to the C-4 classification, to provide for the development of a restaurant with a drive-thru window. This petition includes termination of previous commitments.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 478, 1987. This proposal is a rezoning ordinance for Lawrence Township, Councilmanic District 5, 6330 Germantown Road. Councillor Nickell explained that both parties had reached a mutual agreement. The President called for public hearing at 8:06 p.m. There being no one present to testify, Councillor Nickell moved, seconded by Councillor Giffin, for adoption. Proposal No. 478, 1987, was adopted on the following roll call vote; viz:

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25 YEAS: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Joumey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Hawkins*

3 NOT VOTING: *Howard, Page, Williams*

Proposal No. 478, 1987, was retitled REZONING ORDINANCE NO. 209, 1987, and reads as follows:

REZONING ORDINANCE NO. 209, 1987 87-Z-110 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 6
6330 GERMANTOWN ROAD, INDIANAPOLIS.

Aztec Development Corporation, by Thomas Michael in the C-5 district, to the D-6II classification, to provide for multi-family development.

PROPOSAL NO. 610, 1987. This proposal appropriates \$710,374 for the County Auditor to pay the balance of the Juvenile Detention Center Project costs prior to the beginning of construction. Councillor Dowden stated that the primary components are for the project manager and architect fees of which \$950,000 have already been expended to date. The Public Safety and Criminal Justice Committee on November 18, 1987, recommended Proposal No. 610, 1987, Do Pass by a 7-1 vote. The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 610, 1987, was adopted on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Dowden, Giffin, Hawkins, Howard, Joumey, McGrath, Miller, Nickell, Rader, Schneider, SerVaas, Shaw, Strader, West*

4 NAYS: *Clark, Durnil, Gilmer, Holmes*

5 NOT VOTING: *Curry, Page, Rhodes, Stewart, Williams*

Proposal No. 610, 1987, was retitled FISCAL ORDINANCE NO. 150, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 150, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Seven Hundred Ten Thousand Three Hundred Seventy-four Dollars (\$710,374) in the County Cumulative Capital Development Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the County Cumulative Capital Development Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (a)(2) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the County Auditor to pay the balance of the Juvenile Detention Center project costs prior to the beginning of construction.

SECTION 2. The sum of Seven Hundred Ten Thousand Three Hundred Seventy-four Dollars (\$710,374) 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:

COUNTY AUDITOR

4. Capital Outlay
TOTAL INCREASE

COUNTY CUMULATIVE
CAPITAL DEVELOPMENT FUND

\$710,374
\$710,374

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

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COUNTY CUMULATIVE
CAPITAL DEVELOPMENT FUND

Unappropriated and Unencumbered
County Cumulative Capital Development Fund
TOTAL REDUCTION

\$710,374
\$710,374

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

PROPOSAL NO. 611, 1987. This proposal appropriates \$4,000 for the County Assessor to acquire two aerial maps for Marion County reassessment. Councillor Cottingham stated that the appropriation will be used to purchase two aerial "blue line" maps of Marion County and the overlapping boundary areas for Marion County reassessment. One of the maps will be located at the County Assessors Office and the other will be subdivided between the other Assessors according to their Townships. The County and Townships Committee on November 10, 1987, recommended Proposal No. 611, 1987, Do Pass by a vote of 3-0. The President called for public testimony at 8:20 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Bradley, for adoption. Proposal No. 611, 1987, was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Boyd, Clark, Cottingham, Crowe, Curry, Dowden, Dumil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

0 NAYS

5 NOT VOTING: *Bradley, Coughenour, Hawkins, Page, Williams*

Proposal No. 611, 1987, was retitled FISCAL ORDINANCE NO. 151, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 151, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Four Thousand Dollars (\$4,000) in the Property Reassessment Fund for purposes of the County Assessor and reducing the unappropriated and unencumbered balance in the Property Reassessment Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (a)(1) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the County Assessor to acquire two aerial maps for Marion County reassessment.

SECTION 2. The sum of Four Thousand Dollars (\$4,000) 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 ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
3. Other Services & Charges	\$4,000
TOTAL INCREASE	\$4,000

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

	<u>PROPERTY REASSESSMENT FUND</u>
Unappropriated and Unencumbered	
Property Reassessment Fund	\$4,000
TOTAL REDUCTION	\$4,000

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

PROPOSAL NO. 619, 1987. This proposal appropriates \$21,101 for the Presiding Judge of the Municipal Court for a balance needed for 8% raises and provide constitutionally adequate Public Defender coverage. Councillor Dowden explained that as the end of the fiscal year approaches, there will be a shortfall in Character 01, Personal Services, in the amount of \$6,400 and Character 03, Other Services and Charges, in the amount of \$14,701 for Public Defender contractual salaries. The amount is needed to fund the balance for an 8% increase in raises and to provide constitutionally adequate Public Defender coverage.

The Public Safety and Criminal Justice Committee on November 11, 1987, recommended Proposal No. 619, 1987, Do Pass As Amended by a 7-1 vote. The President called for public testimony at 8:27 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Journey, for adoption. Proposal No. 619, 1987, failed on the following roll call vote; viz:

13 YEAS: Borst, Bradley, Coughenour, Dowden, Gilmer, Hawkins, Journey, Miller, Schneider, SerVaas, Shaw, Stewart, West

12 NAYS: Boyd, Cottingham, Crowe, Curry, Dumil, Giffin, Holmes, McGrath, Rader, Rhodes, Strader, Williams

4 NOT VOTING: Clark, Howard, Nickell, Page

Councillor Nickell requested that another vote be taken to reconsider Proposal No. 619, 1987, since she was out of the Chambers when the vote was taken. Mr. Robert Elrod, General Counsel, ruled that Councillor Nickell could move to reconsider Proposal No. 619, 1987, because she did cast her vote.

Councillor Nickell moved, seconded by Councillor Durnil, to reconsider Proposal No. 619, 1987. This motion carried by the following roll call vote; viz:

15 YEAS: Boyd, Bradley, Coughenour, Dowden, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Schneider, SerVaas, Shaw, West

13 NAYS: Borst, Clark, Cottingham, Crowe, Curry, Dumil, Giffin, Holmes, Rader, Rhodes, Stewart, Strader, Williams

1 NOT VOTING: Page

Councillor Williams believed that there was sufficient money in the Municipal Court's budget and did not agree that they appropriation should be granted.

Councillor Dowden explained that if Judge Kohlmeyer discovers that the money is not needed, then the money will not be spent. Mr. Curt Coonrod, County Auditor, stressed that he has analyzed the Court's budget and believes that their budget is adequate, but it will be extremely close.

Councillor Nickell moved, seconded by Councillor Journey, for adoption. Proposal No. 619, 1987, failed on the following roll call vote; viz:

13 YEAS: Borst, Boyd, Bradley, Coughenour, Dowden, Hawkins, Howard, Journey, Miller, Nickell, Page, Schneider, Shaw, West

15 NAYS: Clark, Cottingham, Crowe, Curry, Dumil, Giffin, Gilmer, Holmes, McGrath, Rader, Rhodes, SerVaas, Stewart, Strader, Williams

1 NOT VOTING: Page

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 279, 1987. This proposal concerns the wearing of headphones. No action was taken.

PROPOSAL NO. 386, 1987. This proposal appropriates \$100,000 for the County Auditor to provide a portion of the required county funding for the IMAGIS computer project. The County and Townships Committee on November 10, 1987, recommended striking Proposal No. 386, 1987. Councillor Cottingham moved, seconded by Councillor Curry, to strike Proposal No. 386, 1987. Consent was given.

PROPOSAL NO. 400, 1987. This proposal appropriates \$117,760 for the Superior Court, Juvenile Division, for use in establishment of satellite offices. The Public Safety and Criminal Justice Committee on November 18, 1987, recommended to strike Proposal No. 400, 1987. Councillor Dowden moved, seconded by Councillor Nickell, to strike Proposal No. 400, 1987. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 198, 1987. This proposal authorizes the Department of Metropolitan Development to apply for a loan from the United States Urban Mass Transportation Administration and to use the proceeds to purchase the Monon Corridor.

Councillor Borst explained that the Metropolitan Development Committee has heard many hours of testimony. He stated that a number of residents are not in favor of the City purchasing this land and are concerned for safety reasons. The City will obtain an application for the loan and it is paid back starting in ten years, and the City-County Council would have to approve the loan. The loan will give assurance to the public that they could review all the records and be in the process of approving what type of transportation will be selected. There will be no interest acquired during the ten year period. The real value dollar of the property will increase, and the real value dollar of the loan will decrease.

Councillor Borst stressed that the people who reside in this area should definitely be involved in the decision making process of this area.

Councillor Borst moved, seconded by Councillor Clark, the following amendment:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 198, 1987, as follows:

1. by deleting the fourth WHEREAS paragraph and inserting the words:

"WHEREAS, there currently exists certain real estate formerly used as a railroad extending from the Town of Sheridan in Hamilton County to a point within the City, which railroad property is commonly referred to as the Monon Railroad Corridor ("Monon Corridor"), all or a portion of which is currently owned by Seaboard Railroad Systems, Inc."

2. by deleting Section 1 and inserting the words:

"The Director of the Department of Metropolitan Development of the City of Indianapolis, Indiana, is hereby authorized on behalf of the City, to apply for a loan in the amount not to exceed 1.5 million dollars from United States Urban Mass Transportation Act, as amended, and to use the proceeds of such loan to purchase the part of the Monon Corridor located in Marion County, including,

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in addition to the actual purchase price of the Monon Corridor, the costs of appraisals and other costs incidental to the purchase thereof."

Councillor Philip Borst

This motion was adopted by Consent.

Councillor Durnil opined that the best interest of the community would be to acquire this property. Councillor Clark added that this is a opportunity that advantage should be taken.

Councillor Schneider was hopeful that the decision of what will happen to this property would be made with wisdom of various individuals.

Councillor West stated that during the public meetings problems of mosquitoes, weeds, and trash dumping were discussed and he stressed his support in the City obtaining this land.

Councillor Journey indicated that she has attended several meetings of the Citizens Neighborhood Coalition and feels that it would be easier to accomplish things through the City than a private organization.

President SerVaas stated that several neighborhood organizations were present to testify and requested they keep their testimony to one minute.

Ms. Nancy Sutton, President for Meridian Kessler Neighborhood Association, said that her association was in support of the City purchasing the Monon right-of-way because she feels that it is in the best interest of the entire neighborhood and City. She stressed some concern; however, about the property which abutts the Monon Corridor.

Mr. Don Hargadon, representing the Nora Community Counsel expressed his approval for the purchase of the Monon.

Mr. Richard Vonnegut, Jr., member of the Mayor's Bicycle Task Force, stressed his support and stated that this would be a worthwhile project for joggers and bicylists.

Mr. Mark Stoner, President of Forest Hills Neighborhood Association, stated that his association is not in favor of the purchase because Rails to Trails had changed their position and is no longer in favor of the Monon Corridor. He felt that he did not receive adequate notice of the Metropolitan Development Committee meetings.

Councillor Gilmer moved, seconded by Councillor McGrath, to call the question.

The Metropolitan Development Committee on November 11, 1987, recommended Proposal No. 198, 1987, Do Pass by a 2-1 vote. Councillor Borst moved, seconded by Councillor Rader, for adoption. Proposal No. 198, 1987, As Amended, was adopted on the following roll call vote; viz:

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

1 NAY: Schneider

3 NOT VOTING: Hawkins, Howard, Page

November 23, 1987

Proposal No. 198, 1987, As Amended, was retitled SPECIAL ORDINANCE NO. 19, 1987, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 19, 1987

A SPECIAL ORDINANCE authorizing the Department of Metropolitan Development to apply for a loan from the United States Urban Mass Transportation Administration and to use the proceeds to purchase the Monon Corridor.

WHEREAS, the City of Indianapolis, Indiana ("City"), is a municipality granted broad home rule powers pursuant to I.C. 36-1-3; and

WHEREAS, the City is empowered under I.C. 36-9-2-2 to establish, aid, maintain, and operate transportation systems; and

WHEREAS, the Port Authority of Hamilton County, Indiana ("Port Authority") is a separate body corporate and politic created under the provisions of I.C. 8-10-5 and empowered thereby to purchase, construct, sell, lease and operate transportation facilities within its jurisdiction; and

WHEREAS, there currently exists certain real estate formerly used as a railroad extending from the Town of Sheridan in Hamilton County to a point within the City, which railroad property is commonly referred to as the Monon Railroad Corridor ("Monon Corridor"), all or a portion of which is currently owned by Seaboard Railroad Systems, Inc."

WHEREAS, Seaboard has obtained the approval of the Interstate Commerce Commission to abandon the Monon Corridor; and

WHEREAS, maintaining the Monon Corridor for future mass transportation purposes such as commuter rail service, express bus service or other transportation services, is important to the continued orderly growth of the Indianapolis Metropolitan area; and

WHEREAS, funding for the acquisition of the Monon Corridor is available through a loan from the United States Urban Mass Transportation Administration; and

WHEREAS, the City-County Council finds that it is in the public interest and of public utility and benefit to acquire the Monon Corridor to maintain its availability for mass transportation use; now, therefore:

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

SECTION 1. The Director of the Department of Metropolitan Development of the City of Indianapolis, Indiana, is hereby authorized, on behalf of the City, to apply for a loan in the amount not to exceed 1.5 million dollars from the United States Urban Mass Transportation Act, as amended, and to use the proceeds of such loan to purchase the part of the Monon Corridor, located in Marion County, including, in addition to the actual purchase price of the Monon Corridor, the costs of appraisals and other costs incidental to the purchase thereof.

SECTION 2. The Department is further authorized to negotiate with Seaboard for the purchase of the Monon Corridor. Any agreement reached in such negotiations shall be subject to the approval of the Metropolitan Development Commission of Marion County, Indiana.

SECTION 3. The Department is authorized to cooperate with and be of assistance to the Port Authority in the acquisition of the Monon Corridor, and is specifically authorized to:

(a) make a joint application with the Port Authority for the loan referred to in Section 1;

(b) provide funds from the loan proceeds to the Port Authority to pay the costs of purchasing portions of the Monon Corridor located in Hamilton County, including, but not limited to, the purchase price of the property, the cost of appraisals and other costs incidental to the purchase thereof; and

(c) enter into any agreement with the Port Authority which is found necessary for the purchase, use or disposition of the Monon Corridor for mass transportation purposes; provided that any such agreement shall be subject to the approval of the Metropolitan Development Commission and the City-County Council.

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

PROPOSAL NO. 406, 1987. This proposal amends the Code, in regards to Section 6-4, Animals not to be at large. The Public Safety and Criminal Justice Committee on November 11, 1987, recommended Proposal No. 406, 1987, to be stricken. Councillor Dowden moved, seconded by Councillor Nickell, to Strike Proposal No. 406, 1987. Proposal No. 406, 1987, was stricken by consent.

PROPOSAL NO. 585, 1987. This proposal appropriates \$1,424 for the Cooperative Extension Service to transfer the balance of the travel account to gasoline usage. The Community Affairs Committee on November 11, 1987, recommended Proposal No. 585, 1987, Do Pass by a 4-0 vote. Councillor Stewart moved, seconded by Councillor Bradley, for adoption. Proposal No. 585, 1987, was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Boyd, Bradley, Clark, Cottingham, Crowe, Curry, Dumil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*
0 NAYS
5 NOT VOTING: *Coughenour, Dowden, Journey, Page, Schneider*

Proposal No. 585, 1987, was retitled FISCAL ORDINANCE NO. 152, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 152, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating One Thousand Four Hundred Twenty-four Dollars (\$1,424) in the County General Fund for purposes of the Cooperative Extension Service 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 (c)(4) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Cooperative Extension Service to transfer the balance of the travel account to gasoline usage.

SECTION 2. The sum of One Thousand Four Hundred Twenty-four Dollars (\$1,424) 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>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$1,424
TOTAL INCREASE	\$1,424

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

	<u>COOPERATIVE EXTENSION SERVICE</u>
	<u>COUNTY GENERAL FUND</u>
3. Other Services & Charges	\$1,424
TOTAL REDUCTION	\$1,424

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

PROPOSAL NO. 586, 1987. This proposal appropriates \$1,116 for the Washington Township Assessor to transfer funds to purchase an additional terminal for reassessment work. The County and Townships Committee on November 10, 1987, recommended Proposal No. 586, 1987, do pass as amended, by a 3-0 vote. Councillor

November 23, 1987

Cottingham moved, seconded by Councillor Holmes, for adoption. Proposal No. 586, 1987, As Amended, was adopted on the following roll call vote; viz:

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

0 NAYS

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

Proposal No. 586, 1987, As Amended, was retitled FISCAL ORDINANCE NO. 153, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 153, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating One Thousand Two Hundred Twenty-seven Dollars (\$1,227) in the Property Reassessment Fund for purposes of the Washington Township Assessor and reducing certain other appropriations for that office.

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 (d)(8) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Washington Township Assessor to transfer funds to purchase an additional terminal for reassessment work.

SECTION 2. The sum of One Thousand Two Hundred Twenty-seven Dollars (\$1,227) be, and the same is hereby transferred for the purpose as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
4. Capital Outlay	\$1,227
TOTAL INCREASE	\$1,227

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

<u>WASHINGTON TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
1. Personal Services	\$1,227
TOTAL REDUCTION	\$1,227

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

PROPOSAL NO. 597, 1987. This proposal creates a Council oversight committee on infant mortality. The Rules and Policy Committee on November 17, 1987, recommended Proposal No. 597, 1987, do pass as amended, by a 4-0 vote. Councillor Shaw moved, seconded by Councillor Howard, for adoption. Proposal No. 597, 1987, As Amended, was adopted on the following roll call vote; viz:

18 YEAS: *Borst, Boyd, Clark, Cottingham, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Howard, McGrath, Miller, SerVaas, Shaw, Strader, West, Williams*

8 NAYS: *Bradley, Coughenour, Dowden, Holmes, Nickell, Rader, Schneider, Stewart*

3 NOT VOTING: *Journey, Page, Rhodes*

Proposal No. 597, 1987, As Amended, was retitled SPECIAL ORDINANCE NO. 20, 1987, and reads as follows:

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CITY-COUNTY SPECIAL ORDINANCE NO. 20, 1987

A SPECIAL ORDINANCE creating a Council Oversight Committee on infant mortality.

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

SECTION 1. There is hereby created a City-County Ad-Hoc Committee to be appointed by the President of the Council to develop recommendations for Council action concerning the role of City-County government in addressing the concern of infant mortality in Indianapolis and Marion County.

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

PROPOSAL NO. 612, 1987. This proposal approves a Modernization Grant by Amendment No. 29 of the Annual Contributions Contract. The Metropolitan Development Committee on November 11, 1987, recommended Proposal No. 612, 1987, do pass, by a 3-0 vote. Councillor Borst moved, seconded by Councillor Boyd, for adoption. Proposal No. 612, 1987, was adopted on the following roll call vote; viz:

23 YEAS: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dumil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Rader, SerVaas, Shaw, Strader, West, Williams*

0 NAYS

6 NOT VOTING: *Dowden, Journey, Page, Rhodes, Schneider, Stewart*

Proposal No. 612, 1987, was retitled GENERAL RESOLUTION NO. 24, 1987, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 24, 1987

A GENERAL RESOLUTION approving a Modernization Grant by Amendment No. 29 of the Annual Contributions Contract.

WHEREAS, the City of Indianapolis, Indiana, and the United States of America are parties to a Consolidated Annual Contributions Contract No. C-970, dated April 29, 1971, pursuant to which the City of Indianapolis has agreed to undertake the development and operation of certain low-rent housing and the United States has agreed to render financial assistance in connection therewith; and

WHEREAS, the United States proposes to make available to the City of Indianapolis, by grant, funds for the modernization of certain low-rent housing units operated by the City of Indianapolis; and

WHEREAS, receipt of such modernization funds requires the execution of an amendment to the aforementioned Consolidated Annual Contributions Contract in a form prescribed by the United States Department of Housing and Urban Development; and

WHEREAS, the United States Department of Housing and Urban Development has prepared such an amendment, which is captioned as Modernization Project Grant Amendment to Consolidated Annual Contributions Contract, and which is further designated as Amendment No. 29, and as Modernization Project Grant Number IN 36PO1791C-2 with a maximum modernization cost of \$1,215,800; and

WHEREAS, it is in the best interest of the City of Indianapolis to execute the said Amendment; 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 approves and authorizes execution of Amendment No. 29 to the Consolidated Annual Contributions Contract between the United States and the City of Indianapolis.

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

November 23, 1987

PROPOSAL NO. 613, 1987. This proposal concerns docks and encroachments on Eagle Creek Reservoir. The Parks and Recreation Committee on November 17, 1987, recommended Proposal No. 613, 1987, do pass, by a 5-0 vote. Councillor Durnil moved, seconded by Councillor Clark, for adoption. Proposal No. 613, 1987, was adopted on the following roll call vote; viz:

22 YEAS: Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, McGrath, Miller, Nickell, Rader, Schneider, SerVaas, Shaw, Strader, West

0 NAYS

7 NOT VOTING: Borst, Howard, Journey, Page, Rhodes, Stewart, Williams

Proposal No. 613, 1987, was retitled GENERAL ORDINANCE NO. 115, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 1987

A GENERAL ORDINANCE concerning docks and encroachments on Eagle Creek Reservoir.

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

SECTION 1. Sec. 7-106 of the Code of Indianapolis and Marion County, Indiana, as added by G.O. No. 72, 1987, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 7-106. Issuance of dock permits; permission to encroach.

(a) Upon applicant's compliance with Sec. 7-103, verification that applicant's proposed or existing dock, improvement or modification complies with the regulations promulgated pursuant to this division, verification that applicant has received a drainage permit pursuant to chapter 10 1/2 of this Code, and receipt of applicant's executed indemnification and hold harmless agreement required by Sec. 7-104 and proof of insurance required by Sec. 7-105, the board of public works shall grant permission to encroach to the applicant.

If the applicant is also for a dock permit, upon the granting of such permission, the department of public works shall forward copies of, evidence of, or the original application, indemnification and hold harmless agreement, proof of insurance and copies of the drainage permit and permission to encroach to the department of parks and recreation.

(b) Upon applicant's compliance with Sec. 7-103, receipt from the department of public works of the applicant's completed application, of applicant's executed indemnification and hold harmless agreement required by Sec. 7-104, of applicant's proof in insurance required by Sec. 7-105, and of copies of applicant's drainage permit and permission to encroach, and upon verification that applicant's proposed or existing dock or modification complies with the regulations promulgated pursuant to this division, the department of parks and recreation, shall issue a dock permit to the applicant.

(c) An applicant for a dock permit may appeal to the board of parks and recreation a decision of the department of parks and recreation denying or partially approving the dock permit. The appeal shall be filed with the board within ten (10) business days after the department's decision. The board shall hear the appeal de novo at a regular meeting, and in making a decision shall apply the standards set forth in the regulations adopted pursuant to this division.

(d) Any dock permit or permission to encroach issued pursuant to this section shall expire ~~at sixty (60) days~~ after the time ownership of the property which the dock or improvements serve is transferred or otherwise changed. Owners shall notify the department of public works at the time the ownership of the property is transferred. Within sixty (60) days after the date of transfer the new owner shall apply for the appropriate dock permit and/or permission to encroach.

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

PROPOSAL NO. 614, 1987. This proposal authorizes Marion County to purchase certain real property. The Public Safety and Criminal Justice Committee on November 18, 1987, recommended Proposal No. 614, 1987, do pass as amended, by a 6-2 vote. Councillor Dowden moved, seconded by Councillor Cottingham, for adoption.

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Proposal No. 614, 1987, As Amended, was adopted on the following roll call vote; viz:

17 YEAS: Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Hawkins, Journey, Miller, Nickell, Rader, Schneider, SerVaas, Shaw, West
7 NAYS: Borst, Clark, Durnil, Gilmer, Holmes, McGrath, Stewart
5 NOT VOTING: Howard, Page, Rhodes, Strader, Williams

Proposal No. 614, 1987, As Amended, was retitled GENERAL RESOLUTION NO. 23, 1987, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 23, 1987

A GENERAL RESOLUTION authorizing Marion County to purchase certain real property.

WHEREAS, I.C. 36-1-10.5-1 et seq. requires that the fiscal body of a political subdivision pass a resolution expressing its interest in purchasing real property when the price exceeds \$25,000; and

WHEREAS, Marion County plans to locate juvenile probation offices throughout the community which requires the acquisition of real properties, the purchase prices of which are anticipated to exceed \$25,000; 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, in accordance with I.C. 36-1-10.5-1 et seq., expresses interest in the purchase of real properties in Marion County, identified as follows, to be utilized as satellite juvenile probation offices:

- (1) 1127 S. Shelby Street
- (2) 5440 E. 38th Street

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

PROPOSAL NO. 615, 1987. This proposal declares the construction of a new juvenile detention center a necessity through the Indianapolis-Marion County Building Authority. The Public Safety and Criminal Justice Committee on November 18, 1987, recommended Proposal No. 615, 1987, do pass, by a 7-1 vote. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 615, 1987, was adopted on the following roll call vote; viz:

20 YEAS: Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Howard, Journey, Miller, Nickell, Rader, SerVaas, Shaw, Strader, West
4 NAYS: Gilmer, Holmes, McGrath, Stewart
5 NOT VOTING: Clark, Page, Rhodes, Schneider, Williams

Proposal No. 615, 1987, was retitled SPECIAL RESOLUTION NO. 67, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1987

A SPECIAL RESOLUTION declaring the construction of a new juvenile detention center a necessity and authorizing the Mayor of the City of Indianapolis, the Auditor of Marion County and the Judge of the Marion Superior Court, Juvenile Division to implement the construction of a new juvenile detention center through the Indianapolis-Marion County Building Authority.

WHEREAS, on March 10, 1986 the City-County Council of the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Special Resolution No. 38, 1986 which, among other things, recommended the construction of a new juvenile detention center; and

November 23, 1987

WHEREAS, the Indianapolis-Marion County Building Authority ("Building Authority") was created under the provisions of I.C. 36-9-13 for the purpose of acquiring land and financing, acquiring, improving, constructing, reconstructing, renovating, equipping, and operating government buildings and leasing them to eligible entities; and

WHEREAS, a juvenile detention center is a government building under I.C. 36-9-13 which may be financed and constructed by the Building Authority, and the County of Marion is an eligible entity which may lease a government building from the Building Authority; and

WHEREAS, the Council now determines that it is in the best interests of the taxpayers and residents of the County of Marion for the Building Authority to acquire, finance, improve, construct, reconstruct, renovate, equip and operate a new juvenile detention center and to lease it to the County of Marion; 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 declares that a necessity exists for that the construction of a new juvenile detention center, consisting of a 144-bed facility with support services for classification, education, recreation, food service, administration and medical and mental health care, as well as office and support spaces for law enforcement and judicial support functions, such facility to be located immediately south of the existing juvenile detention center and connected to the existing courts building.

SECTION 2. The Council finds that the financing and construction of said juvenile detention center, including any acquisition, improvement, construction, reconstruction, renovation, and equipment deemed necessary to the full accomplishment of the project, by the Building Authority and the leasing thereof by the County of Marion is in the best interests of the taxpayers and residents of the County.

SECTION 3. The Council hereby authorizes the Mayor of the City of Indianapolis, as chief executive for the County of Marion, the Auditor of the County of Marion, and the Judge of the Marion Superior Court, Juvenile Division, to take any and all measures deemed necessary for the implementation of said juvenile detention center project through the Building Authority.

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

PROPOSAL NO. 616, 1987. This proposal transfers and appropriates \$44,740 for the County Sheriff to cover increased expenditures. The Public Safety and Criminal Justice Committee on November 11, 1987, recommended Proposal No. 616, 1987, do pass, by a 4-0 vote. Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 616, 1987, was adopted on the following roll call vote; viz:

20 YEAS: *Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Dumil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Rader, Schneider, SerVaas, West*
0 NAYS

9 NOT VOTING: *Borst, Boyd, Journey, Page, Rhodes, Shaw, Stewart, Strader, Williams*

Proposal No. 616, 1987, was retitled FISCAL ORDINANCE NO. 154, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 154, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating Forty-four Thousand Seven Hundred Forty Dollars (\$44,740) in the County General Fund for purposes of the County Sheriff and reducing certain other appropriations for that Department.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (a)(7) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the County Sheriff to transfer funds to cover increased expenditures.

SECTION 2. The sum of Forty-four Thousand Seven Hundred Forty Dollars (\$44,740) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

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SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services & Charges	\$44,740
TOTAL INCREASE	\$44,740

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

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$20,000
2. Supplies	24,740
TOTAL REDUCTION	\$44,740

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

PROPOSAL NO. 617, 1987. This proposal appropriates \$4,000 for the Department of Public Safety, Criminal Justice Council, to purchase a personal computer. The Public Safety and Criminal Justice Committee on November 11, 1987, recommended Proposal No. 617, 1987, do pass, by a 4-0 vote. Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 617, 1987, was adopted on the following roll call vote; viz:

19 YEAS: Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Williams
0 NAYS
10 NOT VOTING: Borst, Boyd, Durnil, Howard, Journey, Page, Shaw, Stewart, Strader, West

Proposal No. 617, 1987, was retitled FISCAL ORDINANCE NO. 155, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 155, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating Four Thousand Dollars (\$4,000) in the Consolidated County Fund for purposes of the Department of Public Safety, Criminal Justice Council, and reducing certain other appropriations for that Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Public Safety, Criminal Justice Council, to transfer funds to purchase a personal computer.

SECTION 2. The sum of Four Thousand Dollars (\$4,000) 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>DEPARTMENT OF PUBLIC SAFETY</u> <u>CRIMINAL JUSTICE COUNCIL</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	\$4,000
TOTAL INCREASE	\$4,000

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

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>CRIMINAL JUSTICE COUNCIL</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	\$4,000
TOTAL REDUCTION	\$4,000

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

November 23, 1987

PROPOSAL NO. 618, 1987. This proposal appropriates \$6,800 for the Department of Public Safety, Animal Control Division, for personnel additions and salary adjustments. The Public Safety and Criminal Justice Committee on November 11, 1987, recommended Proposal No. 618, 1987, do pass, by a 4-0 vote. Councillor Dowden moved, seconded by Councillor Cottingham, for adoption. Proposal No. 618, 1987, was adopted on the following roll call vote; viz:

22 YEAS: Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, Ser-Vaas, West, Williams

0 NAYS

7 NOT VOTING: Borst, Boyd, Journey, Page, Shaw, Stewart, Strader

Proposal No. 618, 1987, was retitled FISCAL ORDINANCE NO. 156, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 156, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating Six Thousand Eight Hundred Dollars (\$6,800) in the Consolidated County Fund for purposes of the Department of Public Safety, Animal Control Division, and reducing certain other appropriations for that Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Public Safety, Animal Control Division, to transfer funds for additional personnel and salary adjustments.

SECTION 2. The sum of Six Thousand Eight Hundred Dollars (\$6,800) 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>DEPARTMENT OF PUBLIC SAFETY</u> <u>ANIMAL CONTROL DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	\$6,000
2. Supplies	<u>800</u>
TOTAL INCREASE	\$6,800

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

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>ANIMAL CONTROL DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services & Charges	\$6,000
4. Capital Outlay	<u>800</u>
TOTAL REDUCTION	\$6,800

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

PROPOSAL NO. 622, 1987. This proposal appropriates \$15,700 for the Department of Public Works, Flood Control Division, for needed equipment in flood maintenance. The Public Works Committee on November 19, 1987, recommended Proposal No. 622, 1987, do pass, by a 4-0 vote. Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption. Proposal No. 622, 1987, was adopted on the following roll call vote; viz:

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22 YEAS: Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, West, Williams

0 NAYS

7 NOT VOTING: Borst, Clark, Dowden, Dumil, Journey, Page, Shaw

Proposal No. 622, 1987, was retitled FISCAL ORDINANCE NO. 157, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 157, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) transferring and appropriating Fifteen Thousand Seven Hundred Dollars (\$15,700) in the Flood Control General Fund for purposes of the Department of Public Works, Flood Control Division, and reducing certain other appropriations for that Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Public Works, Flood Control Division, to transfer funds for needed equipment in flood maintenance.

SECTION 2. The sum of Fifteen Thousand Seven Hundred Dollars (\$15,700) 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:

DEPARTMENT OF PUBLIC WORKS	
<u>FLOOD CONTROL DIVISION</u>	
4. Capital Outlay	<u>\$15,700</u>
TOTAL INCREASE	\$15,700

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

DEPARTMENT OF PUBLIC WORKS	
<u>FLOOD CONTROL DIVISION</u>	
3. Other Services & Charges	<u>\$15,700</u>
TOTAL REDUCTION	\$15,700

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

The President recessed the City-County Council for purposes of convening the Fire Special Service District.

SPECIAL SERVICE DISTRICT COUNCILS

FIRE SPECIAL SERVICE DISTRICT

A quorum being present, the President called the Fire Special Service District Council to order at 9:51 p.m.

PROPOSAL NO. 620, 1987. This proposal appropriates \$305,700 for the Department of Public Safety, Fire Division, to cover unanticipated expenditures. The Public Safety and Criminal Justice Committee on November 11, 1987, recommended Proposal No. 620, 1987, do pass, by a 5-0 vote. Councillor Dowden moved, seconded by Councillor Cottingham, for adoption. Proposal No. 620, 1987, was adopted on the following roll call vote; viz:

November 23, 1987

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

2 NAYS: Curry, Howard

4 NOT VOTING: Borst, Giffin, Journey, Page

Proposal No. 620, 1987, was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1987, and reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1987

A FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Fire Special Service District Annual Budget for 1987 (Fire Special Service District Fiscal Ordinance No. 1, 1986) appropriating an additional Three Hundred Five Thousand Seven Hundred Dollars (\$305,700) in the Fire Special Service District Fund for purposes of the Department of Public Safety, Fire Division and reducing certain other appropriations for the Fire Special Service District Fund.

BE IT ORDAINED BY THE FIRE 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 of the Fire Special Service District Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Public Safety, Fire Division, to transfer funds to cover unanticipated expenditures.

SECTION 2. The sum of Three Hundred Five Thousand Seven Hundred Dollars (\$305,700) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations.

SECTION 3. The following additional appropriations are hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>FIRE DIVISION</u>	<u>FIRE SPECIAL SERVICE DISTRICT FUND</u>
1. Personal Services	\$305,700
TOTAL INCREASE	\$305,700

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

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>FIRE DIVISION</u>	<u>FIRE SPECIAL SERVICE DISTRICT FUND</u>
2. Supplies	\$ 12,197
3. Other Services & Charges	228,792
4. Capital Outlay	<u>64,711</u>
TOTAL REDUCTION	\$305,700

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 for the Fire Special Service District Council, the President reconvened the City-County Council at 9:55 p.m.

NEW BUSINESS

ANNOUNCEMENTS AND ADJOURNMENTS

There being no further business, upon motion duly made and seconded the meeting adjourned at 9:56 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 23rd day of November, 1987.

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

Beurt Swaas

President

ATTEST:

Clerk of the Council

(SEAL)