

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

**REGULAR MEETINGS
MONDAY, MAY 8, 1989**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m. on Monday, May 8, 1989, with Councillor SerVaas presiding.

Councillor McGrath introduced Rev. Greg Dickson, Assistant Pastor of the Indianapolis Baptist Temple, who lead the opening prayer. Councillor McGrath 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:

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Golc introduced Charles Henderson, the new director of WESCO (West Indianapolis Community Organization).

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:

Journal of City-County Council

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, May 8, 1989, 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

April 25, 1989

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, April 27, 1989, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 254, 1989, to be held on Monday, May 8, 1989, at 7:00 p.m. in the City-County Building.

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

May 3, 1989

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 41, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Six Thousand Two Hundred Dollars (\$6,200) in the Property Reassessment Fund for purposes of the Washington Township Assessor, and reducing the unappropriated and unencumbered balance in the Property Reassessment Fund.

FISCAL ORDINANCE NO. 42, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Eighteen Thousand Dollars (\$18,000) in the Property Reassessment Fund for purposes of the Lawrence Township Assessor and reducing the unappropriated and unencumbered balance in the Property Reassessment Fund.

FISCAL ORDINANCE NO. 43, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Eight Thousand Three Hundred Fifty-six Dollars (\$8,356) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

May 8, 1989

FISCAL ORDINANCE NO. 44, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional One Hundred Nine Thousand Nine Hundred Eighty Dollars (\$109,980) in the County General Fund for purposes of the Prosecutor's Child Support IV-D Agency and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 45, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Five Hundred Sixty Dollars (\$560) in the County General Fund for purposes of the Franklin Township Assessor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 46, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Two Hundred Ninety Dollars (\$290) in the County General Fund for purposes of the County Surveyor and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 47, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional One Thousand Dollars (\$1,000) in the County General Fund for purposes of the Superior Court, Criminal Division, Room IV, and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 48, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Six Thousand One Hundred Thirty Dollars (\$6,130) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Agency and reducing certain appropriations for that Agency.

GENERAL ORDINANCE NO. 36, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 28, Sections 28-351 through 28-355, by adding a new Article VIII.

GENERAL ORDINANCE NO. 37, 1989, amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Article IX in Chapter 20.

GENERAL ORDINANCE NO. 38, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 39, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limit.

GENERAL ORDINANCE NO. 40, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 41, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL ORDINANCE NO. 7, 1989, approving an application for designation of the Indianapolis Rubber Company as an Industrial Recovery Site.

SPECIAL ORDINANCE NO. 8, 1989, approving an application for designation of the Schwitzer Building as an Industrial Recovery Site.

SPECIAL ORDINANCE NO. 9, 1989, approving the City of Indianapolis to Issue its "Multifamily Rental Housing Revenue Bonds, Series 1989 (Marleigh Corporation Project)" in an aggregate principal amount not to exceed \$1,090,000 and approving and authorizing other actions in respect thereto.

Journal of City-County Council

GENERAL RESOLUTION NO. 4, 1989, approving the purchase and lease-back of real estate by the Indianapolis-Marion County Building Authority from the County of Marion and the long-term lease between Marion County, on behalf of the Marion County Sheriff's Department, and the Building Authority of real estate commonly referred to as 4423 North Shadeland Avenue and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference ("Real Estate").

SPECIAL RESOLUTION NO. 27, 1989, honoring Joseph A. Slash.

SPECIAL RESOLUTION NO. 28, 1989, approving and authorizing certain actions and proceedings with respect to certain proposed economic development revenue bonds for Bowes Seal Fast Corporation pursuant to I.C. 36-7-11.9 and I.C. 36-7-12.

Respectfully submitted,
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.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journals of April 10, 1989, and April 24, 1989. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 283, 1989. This proposal honors USRA Light Mikado No. 587 Locomotive. Councillor West read the resolution and presented a framed document to Douglas L. Crichlow, Public Information Coordinator of the Indiana Transportation Museum. Councillor Rhodes expressed that the locomotive was located in his district, and it is good to see the departments working together in a combined effort to restore the locomotive and keep it in the area. Councillor West moved, seconded by Councillor Rhodes, for adoption. Proposal No. 283, 1989, was adopted by unanimous voice vote.

Proposal No. 283, 1989, was retitled SPECIAL RESOLUTION NO. 29, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1989

A SPECIAL RESOLUTION honoring USRA Light Mikado No. 587 Locomotive.

WHEREAS, in 1955 the New York, Chicago & St. Louis Railroad Company, popularly known as the Nickel Plate Road, donated USRA Light Mikado No. 587 locomotive to the City of Indianapolis as an historical artifact for the use, enjoyment and study by the people of this city; and

WHEREAS, No. 587 had served long and dependably upon the rails linking Indiana communities with other centers of commerce in New York, Pennsylvania, Ohio and Illinois, and represents the technology that kept this nation's commerce in motion during the first half of the Twentieth Century; and

WHEREAS, the Steam Division of the Indiana Transportation Museum relying entirely upon volunteer workmanship and private donations successfully completed the restoration of No. 587 to fully operational condition; and

May 8, 1989

WHEREAS, the Norfolk Southern Railroad has selected No. 587 to tour its system during the summer of 1989, hauling thousands of passengers and visiting hundreds of communities in the nation's south and east; and

WHEREAS, No. 587 shall be a goodwill emissary of the people of Indianapolis as it visits other great cities and towns on its tour; 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 extends its best wishes to all communities visited by USRA Light Mikado No. 587; congratulates the Indiana Transportation Museum of its restoration of No. 587; and commends Norfolk Southern Railroad for selecting No. 587 to tour its system during the summer of 1989.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 284, 1989. This proposal honors George M. Bixler, Jr. Councillor Borst read the resolution and presented a framed document to George Bixler. Councillor Borst stated he has known Mr. Bixler for many years and it was an honor to present him with this resolution. Mr. Bixler expressed his appreciation and thanked the Council. Councillor Borst moved, seconded by Councillor Clark, for adoption. Proposal No. 284, 1989, was adopted by unanimous voice vote.

Proposal No. 284, 1989, was retitled SPECIAL RESOLUTION NO. 30, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1989

A SPECIAL RESOLUTION honoring George M. Bixler, Jr.

WHEREAS, George M. Bixler, Jr., has been a member of the Metropolitan Development Commission since June 21, 1972, serving on the Plat Board for many years; and

WHEREAS, Mr. Bixler asked not to be reappointed when his term ended January 1, 1989; and

WHEREAS, Mr. Bixler has contributed to the development of Indianapolis in general, and Perry Township in particular, by developing many projects such as the Southern Plaza Shopping Center and Greenbriar and Greentree Apartments; and

WHEREAS, Mr. Bixler has promoted his community not only with his time, but also has donated land for Edgewood Little League, contributed to the founding of the University Heights Hospital, and the Baxter YMCA, and has been an active participant in many other civic activities.

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 honors Mr. George Bixler and thanks and commends him for his personal involvement in the development to our City, as well as his 17 years of service on the Metropolitan Development Commission; thereby playing a key role in the renaissance of Indianapolis.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 266, 1989. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$375,000 for the Department of Administration, Office of the Director, to replenish monies needed in the Workmen's Compensation Fund as created in 1985 to fund employees' claims under the Indiana Compensation Act"; and the President referred it to the Administration Committee.

PROPOSAL NO. 267, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$181,849 to the Clerk of the Circuit Court to provide personnel, postage, forms and printing to comply with duties currently being performed by Municipal Court staff"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 268, 1989. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$250,000 for the Department of Metropolitan Development, Development Services Division, to deal with unsafe building conditions through rigorous boarding repair and demolition effort"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 269, 1989. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving certain public purpose grants for support of the arts"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 270, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Chapter 10 of the Code to authorize the MECA Board to exercise certain powers with respect to the implementation and maintenance of an Enhanced 9-1-1 emergency telephone service"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 271, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE imposing a monthly enhanced emergency telephone system fee of thirty cents for each exchange access facility used in Marion County, amends Chapter 10 of the Code"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 272, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION authorizing the Community Corrections Agency to contract with Hitek Community Control Corp. for the purchase of a passage system of electronic monitoring devices in conjunction with Agency's home detention program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 273, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing MECA to proceed with design and implementation of a county-wide emergency communications system"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 274, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$9,000 for the Superior Court, Criminal Division, Probation Dept. to replace a nine year old copy machine and to pay for costs of a maintenance agreement"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 275, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$14,890 for the Superior Court, Criminal Division, Probation Dept. to purchase word processing

May 8, 1989

equipment; thereby, completing a three year phase in automation necessitated by increased work load"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 276, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,891 for the Presiding Judge of the Municipal Court for personnel for the Drug Monitored Release Program for January through May, 1989"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 277, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$30,056 for the Presiding Judge of the Municipal Court for the purpose of transferring a grant program from the Forensic Services Agency to the Municipal Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 278, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$2,541 for the Forensic Services Agency to purchase reagents for drug testing"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 279, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$97,728 for the Community Corrections Agency to purchase electronic monitoring equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 280, 1989. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,100 for the Community Corrections Agency to reimburse a Pre-Trial Home Detention Officer for mileage through July 31, 1989"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 281, 1989. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Section 27-110, Exceptions, to expand automatic lawn watering adjustment to two additional months"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 282, 1989. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing the speed limit to be changed from 30 MPH to 25 MPH on Banta Road, from McFarland Road to Sherman Drive"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 285, 1989. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing township assessors to devise a uniform plan for property reassessment"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 286, 1989. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Donald

Hargadon to the Cable Franchise Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 287, 1989. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Donald Elliott to the Cable Franchise Board"; and the President referred it to the Administration Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 225, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 225, 1989, on April 26, 1989. The proposal amends the Code, Chapter 20, Article VII, Weapons, by adding new Sections 20-191 through 20-194. By a 8-1 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken.

Councillor Dowden expressed his appreciation to the Council staff in their professionalism in handling the public hearing for this proposal. He expressed his thanks in particular to Ava Earles and Max Moser in the efficiency of how the meeting was organized.

Councillor Dowden moved, seconded by Councillor Cottingham, to strike Proposal No. 225, 1989.

Councillor Boyd, sponsor of the proposal, indicated that the purpose of the proposal was not in any way banning the use of all weapons. It strictly dealt with assault-type weapons only. He opined that eventually the state or federal government will establish a law against this type of weapon. He indicated that the state of California just passed a law concerning assault weapons, and he believes that Indiana will eventually have the same law apply.

Councillor Dowden moved, seconded by Councillor Cottingham, the previous question.

President SerVaas asked for a voice vote. Councillor Boyd asked for a division. The President called for roll call. The motion for the previous question was carried on the following roll call vote; viz:

27 AYES: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hawkins, Holmes, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams
1 NAY: Howard
1 NOT VOTING: Durnil

The President called for a vote on the motion to strike. The proposal was stricken on the following roll call vote; viz:

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

May 8, 1989

PROPOSAL NOS. 288 - 291, 1989. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 4, 1989". The Council did not schedule Proposal Nos. 288 - 291, 1989, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 288 - 291, 1989, were retitled REZONING ORDINANCE NOS. 97 - 100, 1989, and are identified as follows:

REZONING ORDINANCE NO. 97, 1989. 89-Z-61 (AMENDED) WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
9150 EAST 10TH STREET, INDIANAPOLIS.
JOWDAT "JOE" HALLAL requests the rezoning of 3.0 acres, being in the D-3 district, to the D-6II classification to provide for multi-family residential.

REZONING ORDINANCE NO. 98, 1989. 89-Z-64 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
11815 EAST PROSPECT STREET, INDIANAPOLIS.
KENNETH AND PATRICIA BORGMANN, GREG AND KAREN MAUER, AND THOMAS PEARSON AND KATHY MEREDITH, by Harold Gibson, request the rezoning of 14.3 acres, being in the A-2 district, to the D-2 classification to provide for single-family residential development platting.

REZONING ORDINANCE NO. 99, 1989. 89-Z-75 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
5003 SOUTH HARDING STREET, INDIANAPOLIS.
KEVIN L. PRESNELL COMPANIES request the rezoning of 5.73 acres, being in the I-2-S district, to the C-4 classification to provide for retail convenience goods and service establishments.

REZONING ORDINANCE NO. 100, 1989. 89-Z-77 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 17
3663 WEST MICHIGAN STREET, INDIANAPOLIS.
CARL W. AND ROSE MARIE MERKLE, by Michael J. Kias, request the rezoning of 1.39 acres, being in the C-3 and D-5 districts, to the C-5 classification to conform zoning to its use and to permit expansion of the existing automotive repair facility.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 220 and 222, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 220 and 222, 1989, on May 3, 1989. PROPOSAL NO. 220, 1989, transfers and appropriates \$271,621 for pre-trial services from the Municipal Courts to the Marion County Justice Agency to streamline operations and alleviate jail overcrowding. PROPOSAL NO. 222, 1989, transfers to the Marion County Justice Agency Board responsibility for pre-trial services of its subject agencies. By a 6-0 vote, the Committee reported Proposal No. 220, 1989, to the Council with the recommendation that it do pass as amended. By a 7-0 vote, the Committee reported Proposal No. 222, 1989, to the Council with the recommendation that it do pass as amended.

The President called for public testimony on Proposal No. 220, 1989, at 8:09 p.m.

Robert Hammerle, attorney, asked that the proposal be tabled and reconsidered because he believes that this proposal will not help the jail overcrowding, but rather add to it. He stated that if the proposal should pass, the agency would set and approve bail without any input or guidance from the judges. If this should happen, he believes the judges would not approve the bail set by bail commissioners, therefore, people will sit in jail longer.

Stephen Goldsmith, Marion County Prosecutor and Chairman of the Justice Agency, indicated that this ordinance gathers all the information together and streamlines all the operations together under one Agency.

Mr. Goldsmith explained that a \$20 fee will be charged to all persons and collected before they are released on their own recognizance. The money will be used for pre-trial services by the Justice Agency.

Councillor Williams asked four questions regarding Proposal No. 222, 1989: (1) where in the Code does it give the Justice Agency the right to do this; (2) if the Agency is adding more people, how is it streamlining; (3) has the differences about the wording of the proposal been cleared up between the Agency, the Police Department and the Sheriff's Department; and (4) would the Prosecutor have a conflict of interest. Mr. Goldsmith explained that this proposal would further clarify the operation of the Justice Agency. The court could work around the clock and make decisions promptly thereby expediting releases. He stated that the language of the proposal has been discussed and resolved. Finally, he explained that any conflict with the courts would be avoided.

Councillor Brooks expressed his concern about the \$20 fee as stated in Proposal No. 222, 1989. He believes that the person should not have to pay the fee to get out of jail, especially if they are considered innocent until proven guilty. He believes that this fee should not have to be paid until the person is proven guilty.

Councillors Howard, Strader and Williams voiced their objections to the proposals, believing the proposals are only "political moves" and "partisan ploy" and not necessarily beneficial to all persons concerned.

There being no further testimony, Councillor Dowden moved, seconded by Councillor Shaw, for adoption. Proposal No. 220, 1989, was adopted on the following roll call vote; viz:

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

Proposal No. 220, 1989, was retitled FISCAL ORDINANCE 49, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Two Hundred Seventy-one Thousand Six Hundred Twenty-one Dollars (\$271,621) in the County General Fund for purposes of the Marion County Justice Agency 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 (cc) of the City-County Annual Budget for 1989, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring pre-trial services from the Municipal Courts to the Marion County Justice Agency to streamline operations and alleviate jail overcrowding.

SECTION 2. The sum of Two Hundred Seventy-one Thousand Six Hundred Twenty-one Dollars (\$271,621) 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:

May 8, 1989

MARION COUNTY JUSTICE AGENCY

- 1. Personal Services
 - 2. Supplies
 - 3. Other Services & Charges
- TOTAL INCREASE

COUNTY GENERAL FUND

\$259,000
2,184
10,437
\$271,621

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

PRESIDING JUDGE OF THE
MUNICIPAL COURT

- 1. Personal Services
 - 2. Supplies
 - 3. Other Services & Charges
- TOTAL REDUCTION

COUNTY GENERAL FUND

\$259,000
2,184
10,437
\$271,621

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

The President called for public testimony on Proposal No. 222, 1989, at 8:11 p.m. There being no further testimony, Councillor Dowden moved, seconded by Councillor Shaw, for adoption. Proposal No. 222, 1989, was adopted on the following roll call vote; viz:

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

Proposal No. 222, 1989, was retitled SPECIAL RESOLUTION NO. 31, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1989

A SPECIAL RESOLUTION transferring to the Marion County Justice Agency Board responsibility for pre-trial services of its subject agencies.

WHEREAS, the Marion County Justice Agency (Agency) is responsible for determining the needs and identifying the problems of its subject agencies and then suggesting answers and helping find solutions to these problems; and

WHEREAS, the Agency has identified ~~lack of a need for better~~ coordination of services and programs in the processing of arrestees subsequent to arrest and prior to final court disposition; and

WHEREAS, under Section 2-317 (p) of the "Code of Indianapolis and Marion County, Indiana", the Agency Board has the authority "to undertake such studies or programs related to or involving the subject agencies as may be adopted by the board or assigned to the board by the City-County Council".

WHEREAS, the Agency has the ability and desires to coordinate and streamline its subject agencies' pre-trial services, including the Marion County Municipal Court bail commissioners program, the data entry of arrest information, the Drug Monitored Released Program, and the pre-trial wristlet program; and

WHEREAS, there are sufficient funds currently appropriated within budgets of the subject agencies to provide for these pre-trial services; 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 transfers to the Marion County Justice Agency Board the pre-trial services programs and duties currently performed by the Indianapolis Police Department, the Marion County Sheriff's Department, Forensic Services Agency, and Community Corrections, including the data entry of arrest information, the Drug Monitored Release Program, and the pre-trial wristlet program. The City-County Council encourages the Marion County Municipal Court to transfer its pre-trial interview and release program to the Marion County Justice Agency Board to streamline the delivery of pre-trial services.~~

SECTION 1. The City-County Council transfers to the Marion County Justice Agency Board the pre-trial services programs, duties, and responsibilities currently performed by Forensic Services Agency and Community Corrections.

including the Drug Monitored Release Program, the Pre-Trial Wristlet Program. In addition, the City-County Council authorizes the transfer to the Marion County Justice Agency Board of all of any portion of the pre-trial services or responsibilities currently performed by the Indianapolis Police Department or the Marion County Sheriff's Department that either department elects to transfer to the Marion County Justice Agency. The City-County Council encourages the Marion County Superior Court to transfer its pre-trial release interviews and the Marion County Municipal Court to transfer its pre-trial services and bail information function to the Marion County Justice Agency Board to streamline the delivery of pre-trial services.

SECTION 2. The City-County Council directs the Agency Board to coordinate expenditure of the County Corrections Fund in furtherance of the streamlining and coordination of the delivery of pre-trial services.

SECTION 3. A person arrested for a crime who is released pre-trial on terms and conditions other than the 10% system of release shall pay an administrative fee of twenty dollars (\$20) to the Clerk of Marion County. The Clerk shall forward the administrative fees collected to the Auditor of Marion County in accordance with I.C. 33-19-1-3.

SECTION 4. The Marion County Justice Agency shall have the authority over expenditures in the Law Enforcement Fund.

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 253, 1989. Councillor Schneider reported that the Economic Development Committee heard Proposal No. 253, 1989, on April 19, 1989. The proposal is a special ordinance authorizing the remarketing of a portion of the bonds originally issued in the aggregate principal amount of \$12,245,000 for Westside Christian Retirement Village, Inc., dated September 1, 1980, and approving and authorizing other actions in respect thereto. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider asked that Proposal No. 253, 1989, be postponed until May 22, 1989, because there are still some financial differences that need to be worked out. Without objection, Proposal No. 253, 1989, was postponed.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 215, 1989. Councillor Clark reported that the Parks and Recreation Committee heard Proposal No. 215, 1989, on May 4, 1989. The proposal transfers and appropriates \$10,000 for the Department of Parks and Recreation, Golf Division, for carpeting and to purchase concession equipment as a result of the operations change. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Clark moved, seconded by Councillor Howard, for adoption.

Councillor Golc expressed that he has visited some of the golf courses and they are in great need of improvement.

Proposal No. 215, 1989, was adopted on the following roll call vote; viz:

22 YEAS: *Borst, Clark, Cottingham, Coughenour, Curry, Giffin, Gilmer, Golc, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, SerVaas, Shaw, Solenberg, West*

0 NAYS

7 NOT VOTING: *Boyd, Brooks, Dowden, Durnil, Schneider, Strader, Williams*

Proposal No. 215, 1989, was retitled FISCAL ORDINANCE NO. 50, 1989, and reads as follows:

May 8, 1989

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Ten Thousand Dollars (\$10,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Golf 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 1989, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Parks and Recreation, Golf Division, for carpeting and to purchase concession equipment as a result of the operations change.

SECTION 2. The sum of Ten Thousand Dollars (\$10,000) 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:

DEPARTMENT OF PARKS AND RECREATION	
<u>GOLF DIVISION</u>	<u>PARK GENERAL FUND</u>
4. Capital Outlay	\$10,000
TOTAL INCREASE	\$10,000

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

PARKS AND RECREATION DEPARTMENT	
<u>GOLF DIVISION</u>	<u>PARK GENERAL FUND</u>
3. Other Services & Charges	\$10,000
TOTAL REDUCTION	\$10,000

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

PROPOSAL NO. 257, 1989. Councillor Cottingham reported that the Transportation Committee heard Proposal No. 257, 1989, on May 3, 1989. The proposal amends the Code by authorizing a 4-way stop at the intersection of Doris Drive and Farley Drive. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cottingham moved, seconded by Councillor Curry, for adoption. Proposal No. 257, 1989, was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Golc, Hawkins, Holmes, Howard, Irvin, Jones, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, Ser-Vaas, Shaw, Solenberg, Strader, West, Williams*

0 NAYS

5 NOT VOTING: *Boyd, Brooks, Durnil, Gilmer, McGrath*

Proposal No. 257, 1989, was retitled GENERAL ORDINANCE NO. 42, 1989, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1989

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92. Schedule of intersection traffic 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 traffic controls, be, and the same is hereby amended by the deletion of the following, to wit:

Journal of City-County Council

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 3	Doris Dr & Farley Dr	Doris Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection traffic 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>
22, Pg. 3	Doris Dr & Farley Dr	None	Stop

SECTION 3. 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 Police Special Service District at 8:16 p.m.

SPECIAL SERVICE DISTRICT COUNCILS

POLICE SPECIAL SERVICE DISTRICT

A quorum being present, the President called the Police Special Service District Council to order at 8:16 p.m.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 254, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 254, 1989, on May 3, 1989. The proposal appropriates \$35,000 for the Department of Public Safety, Police Division, to purchase a Driver Analyzer Training System to provide better retraining and training on driving techniques. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Dowden also stated that the Committee was very impressed with the presentation that was given.

Councillor Dowden explained that the money will be used for training of the police force.

The President called for public testimony at 8:19 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 254, 1989, was adopted on the following roll call vote; viz:

24 YEAS: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Jones, McGrath, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Solenberg, Strader, West, Williams

3 NAYS: Golc, Irvin, Moriarty

2 NOT VOTING: Dumil, Howard

Proposal No. 254, 1989, was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1989, and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 4, 1989

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1989 (Police Special Service District Fiscal Ordinance No. 4, 1988) appropriating an additional

May 8, 1989

Thirty-five Thousand Dollars (\$35,000) in the Law Enforcement Continuing Education Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Law Enforcement Continuing Education Fund.

BE IT ORDAINED BY THE POLICE 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 Police Special Service District Annual Budget for 1989, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Public Safety, Police Division, to purchase a driver analyzer training system to provide better training on driving techniques.

SECTION 2. The sum of Thirty-five Thousand Dollars (\$35,000) 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:

DEPARTMENT OF PUBLIC SAFETY	LAW ENFORCEMENT CONTINUING
<u>POLICE DIVISION</u>	<u>EDUCATION FUND</u>
4. Capital Outlay	\$35,000
TOTAL INCREASE	\$35,000

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

	LAW ENFORCEMENT CONTINUING
	<u>EDUCATION FUND</u>
Unappropriated and Unencumbered	
Law Enforcement Continuing Education Fund	\$35,000
TOTAL REDUCTION	\$35,000

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 for the Police Special Service District Council, the President reconvened the City-County Council at 8:20 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

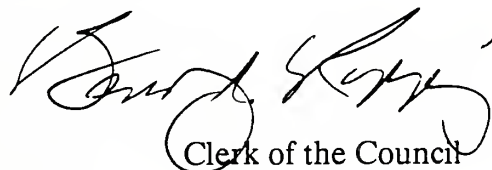
There being no further business, upon motion duly made and seconded, the meeting adjourned at 8:20 p.m.

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 8th day of May, 1989.

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)