

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

**REGULAR MEETINGS
MONDAY, DECEMBER 4, 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 6:10 p.m. on Monday, December 4, 1989, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

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

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Chambers on Monday, December 4, 1989, at 6:00 p.m., the purposes of such MEETINGS being to conduct any and all other business that may properly come before regular meetings of the Councils.

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

November 20, 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 Wednesday, November 22, 1989, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 619 and 624, 1989, to be held on Monday, December 4, 1989, at 6:00 p.m. in the City-County Building.

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

November 22, 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. 117, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Eight Hundred Thousand Dollars (\$800,000) in the Property Reassessment Fund for purposes of the Decatur Township Assessor and reducing the unappropriated and unencumbered balance in the Property Reassessment Fund.

FISCAL ORDINANCE NO. 118, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Fifty Thousand Dollars (\$50,000) in the State and Federal Grant Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 119, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Four Thousand Six Hundred Dollars (\$4,600) in the County General Fund for purposes of the Center Township Assessor and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 120, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional One Hundred Ten Thousand Dollars

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(\$110,000) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management, and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 121, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Five Thousand dollars (\$5,000) in the Consolidated County Fund for purposes of the Department of Administration, Purchasing Division, and reducing certain other appropriations for that Division.

FISCAL ORDINANCE NO. 122, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Sixteen Thousand Five Hundred Dollars (\$16,500) in the Property Reassessment Fund for purposes of the Warren Township Assessor and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 123, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Seven Thousand Three Hundred Sixty-eight Dollars (\$7,368) in the County Grant Fund for purposes of the Domestic Relations Counseling Bureau and reducing certain other appropriations for that Bureau.

FISCAL ORDINANCE NO. 124, 1989, amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional One Thousand Five Hundred Dollars (\$1,500) in the County General Fund for purposes of the Superior Court, Civil Division, Room Seven, and reducing certain other appropriations for that Court.

GENERAL ORDINANCE NO. 101, 1989, amending Chapter 2, Administration, of the "Code of Indianapolis and Marion County, Indiana".

GENERAL ORDINANCE NO. 102, 1989, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection control changes.

SPECIAL ORDINANCE NO. 17, 1989, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1989 (K & F Industries, Inc. Project)" in an aggregate principal amount not to exceed \$3,500,000 and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 18, 1989, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1989 (Shepard Poorman Communications Corporation Project)" in the aggregate principal amount of \$4,000,000 and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 72, 1989, congratulating Wishard's state EMS Governor's Cup winners.

SPECIAL RESOLUTION NO. 73, 1989, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 74, 1989, designating Boulevard Place from 24th Street to 38th Street "Rev. Richard T. Andrews Memorial Area".

SPECIAL RESOLUTION NO. 75, 1989, declaring a necessity for the construction of fire stations in Garfield Park and in the vicinity of Morris Street and Kentucky Avenue for the use and benefit of the Indianapolis Fire Department ("IFD"), and a Special Units facility in Babe Denny Park and a Traffic Branch/Quadrant IV headquarters at 500 North King Avenue for the use and benefit of the Indianapolis Police Department ("IPD"), and a Public Safety Answering Point Wishard Memorial Hospital ("Wishard"), and authorizing the Indianapolis-Marion County Building Authority ("Building Authority") to proceed with plans, specifications, cost estimates, and all measures necessary to finance and construct these public-safety buildings.

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 Journal of November 20, 1989. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 645, 1989. This proposal recognizes the Indianapolis/Koln Partnership Committee. Councillor Curry read the resolution and presented framed documents to the committee members. Horst Winkler expressed his appreciation on behalf of the committee for the recognition. He stated that the Mayor of Koln will visit the City of Indianapolis in May and a group of Indianapolis citizens will be in Koln in June. Councillor Curry moved, seconded by Councillor West, for adoption. Proposal No. 645, 1989, was adopted by unanimous voice vote.

Proposal No. 645, 1989, was retitled SPECIAL RESOLUTION NO. 76, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 76, 1989

A SPECIAL RESOLUTION recognizing the Indianapolis/Koln Partnership Committee.

WHEREAS, Indianapolis and Koln of the Federal Republic of Germany developed a relationship over a number of years based upon mutual interests including arts, education, sports, economic development, government, trade and tourism; and

WHEREAS, a partnership relation between these two cities was memorialized on 28 November, 1988, with the formal signing by the cities' two Chief Executives in Koln, Federal Republic of Germany; and

WHEREAS, the city of Koln formed a citizens committee on 17 May, 1989, to promote the aims and goals of this partnership; and

WHEREAS, interested citizens of these two cities have established correspondence committees to promote the aims of this partnership using volunteer talents of academia, sports, business, finance, arts and government residents; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the efforts of the Indianapolis/Koln Partnership Committee to foster and promote the aims of the Partnership Agreement.

SECTION 2. The Council thanks the special efforts of Mr. Horst Winkler, Honorary Consul of the Federal Republic of Germany, for his leadership in formulating this Committee.

SECTION 3. The Council thanks the initial members of the Committee: Christel DeHaan, Giles Hoyt, Gerald Lamkin, William McGowan, Frank McKinney, Robert Mohlman, Horst Winkler, John Krauss, Marianne Mc-

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Cullough, Alice Hillis and Betty Christian, and encourages them to continue offering leadership to all endeavors necessary to promote the partnership between Indianapolis and Koln.

SECTION 4. The Council looks forward to future reports of significant progress in the growth of friendship between the people of the Partnership, and all citizens of these two great communities.

SECTION 5. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 646, 1989. This proposal concerns Monument Circle and recognizes the volunteers who are responsible for the world's Tallest Christmas Tree. Councillor Ruhmkorff read the resolution and presented a framed document to a representative from each participating union. David Ruhmkorff, IBEW Local #481, expressed his appreciation on behalf of all the unions for the recognition. Councillor Ruhmkorff moved, seconded by Councillor Strader, for adoption. Proposal No. 646, 1989, was adopted by unanimous voice vote.

Proposal No. 646, 1989, was retitled SPECIAL RESOLUTION NO. 77, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 77, 1989

A SPECIAL RESOLUTION concerning Monument Circle.

WHEREAS, since 1962 the Soldiers and Sailors Monument in the heart of Indianapolis has been transformed by dedicated volunteers into the World's Tallest Christmas Tree; and

WHEREAS, during those years, millions of people have enjoyed this beautiful handiwork on Monument Circle; and

WHEREAS, because the Monument was being restored, the lights have been dark for the past three years, but now shine again; 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, representing the people of Indianapolis, expresses its appreciation for the Soldiers and Sailors Monument Christmas season lights.

SECTION 2. The Council specifically recognizes and thanks the volunteer skilled members and representatives of the following unions who physically make the Circle a beautiful year-end festive showpiece: Lowell Baker, Asbestos Workers Local #18; Buck Taylor, Roofers Local #119; Hugh Harman, Bricklayers, Masons, Tilesetters & Terrazzo Workers Local #3; Curt Baker, Central Indiana District Council of Carpenters; Freddie Alexander, Cement Masons Local #532; Phil Kenworthy, Elevator Constructors Local #34; Ray Bymaster, Iron Workers Local #22; Roy Houchins, Laborers Local #120; Dick Warfield, Painters Local #47; Bill Schubach, Plumbers & Steamfitters Local #440; Mike Patrick, Sheet Metal Workers Local #20; Nick Shrum, Teamsters Local #716; Leon Goodman, Operating Engineers Local #103; and Virgil Barber and David Ruhmkorff, IBEW Local #481.

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.

Councillor Gilmer asked for consent to discuss the traffic control problem around Monument Circle. Consent was given. Councillor Gilmer said that there were some questions concerning the use of barricades to control traffic around Monument Circle that needed to be answered and also to emphasize to the Department of Public Safety the wishes of the Council regarding these barricades.

Joseph Shelton, Director of Public Safety, stated that he had heard of the displeasure of some of the council members because barricades had been used by the Indianapolis Police Department to divert traffic around the Circle. He said that Proposal No. 614,

1989 states that no permanent barricades be erected on the Circle; it was his understanding that barricading could be used on a temporary basis.

Councillor Gilmer stated that it was the consensus of the Council that traffic management be done by officers rather than by barricades.

Councillor West moved that this matter be referred to the Transportation Committee since the resolution does state that there will be no permanent barricades. This motion died for lack of a second.

Councillors Dowden and Howard were concerned about the economic impact of putting extra policemen on duty.

Councillor Brooks moved, seconded by Councillor Gilmer, to amend Proposal No. 614, 1989 to add: "Barricades not be used around Monument Circle to control traffic under any circumstances; but temporary barricades may be used for non-traffic emergencies." This motion passed by a unanimous voice vote.

PROPOSAL NO. 649, 1989. This proposal declares December 3-9, 1989 as "Cities Fight Back Against Drugs Week". Councillor Coughenour read the resolution and stated that she and other councillors attended the National League of Cities convention and all over the United States December 3-9, 1989 has been set aside as "Cities Fight Back Against Drugs Week". Councillor Coughenour moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 649, 1989, was adopted by unanimous voice vote.

Proposal No. 649, 1989, was retitled SPECIAL RESOLUTION NO. 78, 1989, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 78, 1989

A SPECIAL RESOLUTION declaring December 3 - 9, 1989, as "Cities Fight Back Against Drugs Week".

WHEREAS, the presence of drugs and narcotics in our society has resulted in innumerable problems of human, community, social and economic dimensions; and

WHEREAS, the consequences of drug-related problems are witnessed in the loss of human lives, the loss of economic productivity, the diversion of public resources to address these problems on all fronts and are threats to the health of our people; and

WHEREAS, the dissolution of the family, an inadequate education system, poverty, unemployment and greed all contribute to illegal drug use; and

WHEREAS, the demand for illegal drugs is a pervasive problem that affects all segments of our society, including professional and affluent people; and

WHEREAS, illegal drugs plague urban, suburban and rural communities of all sizes and regions; and

WHEREAS, illegal drugs constitute a problem in our community and lead to a host of problems such as homicides, robberies, burglaries, domestic violence, and other crimes; and

WHEREAS, a national war on drugs has been declared to combat the importation, trafficking, sale and abuse of drugs; and

WHEREAS, our nation's cities and towns are on the frontlines of this war on drugs; and

WHEREAS, hundreds of America's dedicated public servants have died and thousands of others risk their lives daily to fight our cities' individual battles against illegal drugs and the criminal activities stemming from illegal drugs; now, therefore:

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

SECTION 1. The Indianapolis City-County Council declares December 3 to 9, 1989, as "Cities Fight Back Against Drugs Week".

SECTION 2. The Council goes on record urging community groups, schools, and business and civic organizations to support and participate in special activities during that week to draw community attention to this issue.

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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 640, 1989. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving the issuance of warrants for the City of Indianapolis during the period of January 1, 1990 to December 31, 1990"; and the President referred it to the Administration Committee.

PROPOSAL NO. 641, 1989. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the lease of a portion of the premises located at 1401 West 30th Street for parking space for the use of CEMD"; and the President referred it to the Administration Committee.

PROPOSAL NO. 642, 1989. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION authorizing an increase in the salary schedule for Marion County employees"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 643, 1989. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving the issuance of warrants for the County General Fund and the County Welfare Fund during the period of January 1, 1990 to December 31, 1990"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 644, 1989. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by prohibiting parking during specified hours"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 647, 1989. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE amending City-County Fiscal Ordinance No. 88, 1989, to modify committee compensation for councillors for 1990"; and the President referred it to the Administration Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 648, 1989. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 30, 1989". The Council did not schedule Proposal Nos. 648, 1989, for hearing pursuant to IC 36-7-4-608. Proposal No. 648, 1989, were retitled REZONING ORDINANCE NO. 217, 1989, and is identified as follows:

REZONING ORDINANCE NO. 217, 1989. 89-Z-184 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
9396 LAFAYETTE ROAD, INDIANAPOLIS.

MSE CORPORATION requests the rezoning of 22 acres, being in the A-2/FP district, to the D-S/FP classification to provide for the residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 540, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 540, 1989, on October 11, 1989. The proposal appropriates \$27,005 for the Marion County Community Corrections Agency to establish the Law Enforcement Restitution Program. By a 4-3-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden asked that the proposal be postponed until December 18, 1989. Without objection, Proposal No. 540, 1989, was postponed.

PROPOSAL NO. 619, 1989. The proposal appropriates \$204,000 for the Department of Administration, Office of the Director, to cover a projected shortage in the Workmen's Compensation Fund financed from the respective department. Councillor Rhodes reported that the Administration Committee has not heard Proposal No. 619, 1989, and asked that the proposal be postponed until December 18, 1989. Without objection, Proposal No. 619, 1989, was postponed.

PROPOSAL NO. 624, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 624, 1989, on November 21, 1989. The proposal appropriates \$12,909 for the Prosecuting Attorney to transfer funds within the Drug Alcohol Services Grant for reagents and for a new appropriation to the Adult Probation Services Grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 6:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 624, 1989, was adopted on the following roll call vote; viz:

21 YEAS: Borst, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Hawkins, Holmes, Howard, Irvin, Jones, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Shaw, Strader, West

0 NAYS

8 NOT VOTING: Boyd, Dumil, Gilmer, Golc, McGrath, Ruhmkorff, Solenberg, Williams

Proposal No. 624, 1989, was retitled FISCAL ORDINANCE NO. 125, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City-County Fiscal Ordinance No. 93, 1988) appropriating an additional Twelve Thousand Nine Hundred Nine Dollars (\$12,909) in the State and Federal Grant Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (w) of the City-County Annual Budget for 1989, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to transfer funds within the Drug Alcohol Services Grant for reagents and for a new appropriation to the Adult Probation Services Grant.

SECTION 2. The sum of Twelve Thousand Nine Hundred Nine Dollars (\$12,909) 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.

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SECTION 3. The following additional appropriations are hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANT FUND</u>
1. Personal Services	\$ 7,909
2. Supplies	5,000
TOTAL INCREASE	\$12,909

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

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANT FUND</u>
1. Personal Services	\$ 5,000
Unappropriated and Unencumbered State and Federal Grant Fund	\$ 7,909
TOTAL REDUCTION	\$12,909

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 580, 1989. The proposal appropriates \$210,000 for the County Sheriff to pay additional salaries requested by contractual settlements made after passage of the 1989 budget. Councillor Dowden reported that the Public Safety and Criminal Justice Committee has not heard Proposal No. 580, 1989, and asked that the proposal be postponed. Without objection, Proposal No. 580, 1989, was postponed.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 623, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 623, 1989, on November 21, 1989. The proposal transfers and appropriates \$3,000 for the Prosecuting Attorney to utilize earned income from the Metro Drug Task Force in order to cover an under-estimation of supply costs. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Howard, for adoption. Proposal No. 623, 1989, was adopted on the following roll call vote; viz:

25 YEAS: Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Irvin, Jones, Moriarty, Mukes-Gaither, Rhodes, Ruhmkorff, Schneider, SerVaas, Shaw, Strader, West

0 NAYS

4 NOT VOTING: Golc, McGrath, Solenberg, Williams

Proposal No. 623, 1989, was retitled FISCAL ORDINANCE NO. 126, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 126, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City- County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Three Thousand Dollars (\$3,000) in the Law Enforcement Fund for purposes of the Prosecuting Attorney's Settlement Account 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 (w) of the City-County Annual Budget for 1989, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to utilize earned income from the Metro Drug Task Force in order to cover an under-estimation of supply costs.

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SECTION 2. The sum of Three Thousand Dollars (\$3,000) 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>PROSECUTING ATTORNEY</u>	<u>LAW ENFORCEMENT FUND</u>
2. Supplies	\$3,000
TOTAL INCREASE	\$3,000

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

<u>PROSECUTING ATTORNEY</u>	<u>LAW ENFORCEMENT FUND</u>
4. Capital Outlay	\$3,000
TOTAL REDUCTION	\$3,000

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

PROPOSAL NO. 625, 1989. Councillor Dowden asked Councillor Holmes to give the Committee report. Councillor Holmes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 625, 1989, on November 21, 1989. The proposal transfers and appropriates \$55,000 for the Prosecuting Attorney to cover various expenditures associated with different law enforcement projects. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Holmes moved, seconded by Councillor Howard, for adoption.

Councillor Cottingham stated that he is opposed to transferring \$55,000 out of Personal Services at the end of the year.

Proposal No. 625, 1989, failed to pass on the following roll call vote; viz:

12 YEAS: Brooks, Curry, Hawkins, Holmes, Howard, Irvin, Moriarty, Mukes-Gaither, Rhodes, SerVaas, Strader, West

12 NAYS: Borst, Boyd, Clark, Cottingham, Dowden, Dumil, Giffin, Gilmer, Jones, Ruhmkorff, Schneider, Shaw

5 NOT VOTING: Coughenour, Golc, McGrath, Solenberg, Williams

[Clerk's Note: Proposal No. 625, 1989, was reconsidered at a later point in the meeting.]

PROPOSAL NO. 626, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 626, 1989, on November 21, 1989. The proposal transfers and appropriates \$3,500 for the Presiding Judge of the Municipal Court to replace aging personal computer equipment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Irvin, for adoption. Proposal No. 626, 1989, was adopted on the following roll call vote; viz:

19 YEAS: Borst, Boyd, Brooks, Clark, Curry, Dowden, Hawkins, Holmes, Howard, Irvin, Jones, McGrath, Moriarty, Mukes-Gaither, Rhodes, Schneider, SerVaas, Strader, West

6 NAYS: Cottingham, Dumil, Giffin, Gilmer, Ruhmkorff, Shaw

4 NOT VOTING: Coughenour, Golc, Solenberg, Williams

Proposal No. 626, 1989, was retitled FISCAL ORDINANCE NO. 127, 1989, and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 127, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City- County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Three Thousand Five Hundred Dollars (\$3,500) in the Supplemental Adult Probation Services Fund for purposes of the Presiding Judge of the Municipal Court 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 (bb) of the City-County Annual Budget for 1989, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to replace aging personal computer equipment.

SECTION 2. The sum of Three Thousand Five Hundred Dollars (\$3,500) 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:

PRESIDING JUDGE OF <u>THE MUNICIPAL COURT</u> 4. Capital Outlay TOTAL INCREASE	SUPPLEMENTAL ADULT PROBATION <u>SERVICES FUND</u> \$3,500 \$3,500
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SECTION 4. The said increased appropriation is funded by the following reductions:

PRESIDING JUDGE OF <u>THE MUNICIPAL COURT</u> 1. Personal Services TOTAL REDUCTION	SUPPLEMENTAL ADULT PROBATION <u>SERVICES FUND</u> \$3,500 \$3,500
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SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 627, 1989. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 626, 1989, on November 21, 1989. The proposal transfers and appropriates \$17,500 for the Presiding Judge the Municipal Court to replace worn out personal computers and recording equipment. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Irvin, for adoption. Proposal No. 627, 1989, was adopted on the following roll call vote; viz:

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

Proposal No. 627, 1989, was retitled FISCAL ORDINANCE NO. 128, 1989, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 128, 1989

A FISCAL ORDINANCE amending the City-County Annual Budget for 1989 (City- County Fiscal Ordinance No. 93, 1988) transferring and appropriating an additional Seventeen Thousand Five Hundred Dollars (\$17,500) in the County General Fund for purposes of the Presiding Judge of the Municipal Court 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 (bb) of the City-County Annual Budget for 1989, be and is hereby amended by the increases and

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reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to replace worn out personal computers and recording equipment.

SECTION 2. The sum of Seventeen Thousand Five Hundred Dollars (\$17,500) 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>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	\$17,500
TOTAL INCREASE	\$17,500

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

<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$17,500
TOTAL REDUCTION	\$17,500

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

PROPOSAL NO. 628, 1989. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 628, 1989, on November 21, 1989. The proposal expands the Solid Waste Disposal Special Service District to include the City of Southport. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Curry, for adoption. Proposal No. 628, 1989, was adopted on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Brooks, Clark, Cottingham, Coughenour, Curry, Giffin, Gilmer, Holmes, Howard, Jones, McGrath, Rhodes, Ruhmkorff, SerVaas, Shaw, Solenberg, Strader, West*

3 NAYS: *Dumil, Irvin, Moriarty*

6 NOT VOTING: *Dowden, Golc, Hawkins, Mukes-Gaither, Schneider, Williams*

Proposal No. 628, 1989, was retitled GENERAL ORDINANCE NO. 103, 1989, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 1989

A GENERAL ORDINANCE expanding the Solid Waste Disposal Special Service District to include the City of Southport.

WHEREAS, Indiana Code 36-3-1-6(c)(5) provides that the Solid Waste Disposal Special Service District is comprised of the existing Waste Disposal district, including all the territory that comprised the district as of August 31, 1981; and

WHEREAS, Section 111-51 of the Code of Indianapolis and Marion County provides for expansion of the Solid Waste Disposal Special Service District; and

WHEREAS, the Board of Public Works has received petitions to include the City of Southport in the Solid Waste Disposal Special Service District from more than ten (10) interested residents of the City of Southport; and

WHEREAS, on October 10, 1989, the Board of Public Works held a public hearing on the expansion of the Solid Waste Disposal Special Service District.

WHEREAS, the Board of Public Works has determined, after due consideration, that expansion of the Solid Waste Disposal Special Service District to include the City of Southport is in the interests of the residents of Marion County; and

WHEREAS, the Board of Public Works recommends that the City of Southport be added to the territory of the Solid Waste Disposal Special Service District; and

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WHEREAS, the City-County Council has reviewed the action of the Board of Public Works and has heard all interested parties concerning the addition of the City of Southport to the Solid Waste Disposal Special Service District; and

WHEREAS, the City-County Council concurs in the Board of Public Works' recommendation and, pursuant to Code Section 111-51 hereby approves the expansion of the Solid Waste Disposal Special Service District to include the City of Southport; now therefore

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

SECTION 1. The territory of the Solid Waste Disposal Special Service District be and is hereby expanded to include the City of Southport, Indiana.

SECTION 2. The Revised Code of the Consolidated City and County be and is hereby amended by adding a new Section 111-5 to read as follows:

Sec. 111-5. Solid waste disposal special service district.

The boundaries of the Solid Waste Disposal Special Service District are the boundaries of Marion County, Indiana, except the territory within the municipal boundaries of the City of Lawrence, Indiana, the City of Beech Grove, Indiana, and the Town of Speedway, Indiana, is not within the Solid Waste Disposal Special Service District.

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

Councillor Howard moved, seconded by Councillor Jones, to remove Proposal No. 625, 1989, from the table. This motion passed by the following roll call vote; viz:

14 YEAS: Boyd, Brooks, Coughenour, Curry, Hawkins, Holmes, Howard, Irvin, Jones, Moriarty, Mukes-Gaither, Shaw, Strader, West

11 NAYS: Borst, Cottingham, Dowden, Dumil, Giffin, McGrath, Rhodes, Ruhmkorff, Schneider, SerVaas, Solenberg

4 NOT VOTING: Clark, Gilmer, Golc, Williams

Councillor Howard moved, seconded by Councillor Jones, to adopt Proposal No. 625, 1989. The proposal failed to receive a statutory majority on the following roll call vote; viz:

13 YEAS: Boyd, Coughenour, Curry, Hawkins, Holmes, Howard, Irvin, Jones, Moriarty, Mukes-Gaither, Shaw, Strader, West

13 NAYS: Borst, Brooks, Clark, Cottingham, Dowden, Dumil, Giffin, Gilmer, McGrath, Rhodes, Ruhmkorff, Schneider, Solenberg

3 NOT VOTING: Golc, SerVaas, Williams

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas announced there would be a special meeting of the Committee of the Whole on December 16, 1989 at 9:00 a.m. in the University Conference Center on the IUPUI campus to discuss the recommendations made by the PEPPER Committee.


There being no further business, upon motion duly made and seconded, the meeting adjourned at 7:22 p.m.

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