

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

**REGULAR MEETINGS
MONDAY, JANUARY 27, 1992**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, January 27, 1992, with Councillor SerVaas presiding.

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

ROLL CALL

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

28 PRESENT: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams
[Clerk's Note: Councillor Brooks had resigned, and a successor had not been selected.]

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Coughenour introduced Katherine and Anna Magill, two young students who worked at the polls during the last election; Robert Coughenour, her husband; and Lucille Wright-Saylor, Mr. Coughenour's cousin from Valparaiso, Indiana.

Councillor O'Dell introduced James Peterson, acting director of the Department of Parks and Recreation. He is a retired professor emeritus for the Department of Parks and Recreation at Indiana University. Mr. Peterson stated that he is helping the City locate a new director for the Department of Parks and Recreation.

Councillor Gilmer introduced his neighbors Mr. and Mrs. Tom Ransburg.

Councillor Howard introduced Mary Artist, Linda Ellis, Sue Shively and Virginia Cathings, residents from the fifth and sixth wards.

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, January 27, 1992, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

January 13, 1992

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, January 16, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 2, 4, 5, 7, 8, 9, 10 and 14, 1992, to be held on Monday, January 27, 1991, at 7:00 p.m., in the City-County Building.

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

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:

SPECIAL RESOLUTION NO. 1, 1992, congratulating Ben Davis High School.

SPECIAL RESOLUTION NO. 2, 1992, recognizing Harry E. Eakin.

Respectfully,
s/Stephen Goldsmith
Stephen Goldsmith

ADOPTION OF THE AGENDA

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

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APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of January 6, 1992. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 36, 1992. This proposal, sponsored by Councillors Moriarty and Mullin, congratulates Seccina football state champions. Councillor Moriarty read the resolution and presented framed documents to team members and coaches. Coach Ott Hurrle expressed appreciation for the recognition. Councillor Moriarty moved, seconded by Councillor Mullin, for adoption. Proposal No. 36, 1992 was adopted by unanimous voice vote.

Proposal No. 36, 1992 was retitled SPECIAL RESOLUTION NO. 3, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1992

A SPECIAL RESOLUTION congratulating Seccina football state champions.

WHEREAS, the Seccina Memorial High School Crusaders won its second in a row Indiana High School Athletic Association's Class 2A football state championship on November 29, 1991, by defeating Fort Wayne Bishop Luers High School 20-17; and

WHEREAS, the 1991 Crusaders' 11-3 record marked the most wins of any Seccina football team in the school's 39 year history; and

WHEREAS, a positive attitude and a winning self-confident spirit by the players contributed to the team's success; 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 congratulates Seccina Memorial High School's entire winning team, and specifically recognizes its varsity letter winners: Seniors Mike Anderson, Jim Cherundolo, Brian Fields, Sean Frazer, Toby Jacobs, Jon Pfeiffer, Matt Sandifer, Kevin Vanover, Mike White, Dan Zimmerman and underclassmen Mike Felts, Jeremy Helms, Chris Jacobs, Chris Phillips, Casey Richardson, Virgil Weaver and Phil Young.

SECTION 2. The Council salutes senior Mike White who tied a state championship game record with his two interceptions, senior Toby Jacobs for earning the 1991 Phil Eskew Mental Attitude Award, and seniors Jim Cherundolo, Toby Jacobs and Jon Pfeiffer for being selected as members of the Academic All-State Football Team.

SECTION 3. The Council further recognizes and congratulates Seccina Principal, Larry Neidlinger; Athletic Director, Ron Huck; Chaplain, Reverend Karl Miltz; Athletic Trainers, Angie Therber and Lynn Neiers; and Coaches, Dennis Davis, Harold Green, John Horan, Ott Hurrle, K.C. Leffler, Bob McCoy, Courtney Scott and Joe Therber.

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

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

PROPOSAL NO. 37, 1992. This proposal, sponsored by Councillor Smith, recognizes Franklin Township School's CPR heroes. Councillor Smith read the resolution and presented framed documents to Dan Disney, who expressed appreciation for the recognition. Councillor Smith moved, seconded by Councillor Short, for adoption. Proposal No. 37, 1992 was adopted by unanimous voice vote.

Proposal No. 37, 1992 was retitled SPECIAL RESOLUTION NO. 4, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1992

A SPECIAL RESOLUTION recognizing Franklin Township Schools CPR heroes.

WHEREAS, on December 2, 1991, the Franklin Township High School Chamber Choir was performing a madngal Christmas concert for a group of retirees; and

WHEREAS, during the concert a retiree in the audience slumped over, went to the floor, turned a purple color and appeared to have lost her heartbeat; and

WHEREAS, immediately two choir members, Dan Disney and Gary Mountjoy, along with choir director Rebecca Noot, rushed to aid the victim; and

WHEREAS, while 911 was being called, the students and teacher applied chest compressions, mouth-to-mouth resuscitation, timing counts and other CPR techniques until the ambulance arrived; and

WHEREAS, because the CPR training which was learned earlier in the school year was well executed to treat the heart attack victim, that retiree is now home from the hospital and is recovering well; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends Franklin Central High School students Dan Disney and Gary Mountjoy, and choir director Rebecca Noot, for their calm and composed professional-like administration of CPR to a heart attack victim during a concert performance on December 2, 1991.

SECTION 2. The Council additionally commends Franklin Central High School for adding CPR to its health class curriculum this school year; the payback to the Franklin Township community is already evident.

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. 38, 1992. This proposal, sponsored by Councillors Curry, Giffin, Hinkle and Shambaugh, concerns Charles Bogden. Councillor Curry read the resolution and presented framed documents to Mr. Bogden's widow and two sons. Mrs. Bogden expressed appreciation for the recognition. Councillor Curry moved, seconded by Councillor Hinkle, for adoption. Proposal No. 38, 1992 was adopted by unanimous voice vote.

Proposal No. 38, 1992 was retitled SPECIAL RESOLUTION NO. 5, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1992

A SPECIAL RESOLUTION concerning Charles Bogden.

WHEREAS, Charles Bogden, who passed from this earthly life on January 7, 1992, was extremely involved in his beloved Wayne Township community for many decades; and

WHEREAS, known as "Mr. Wayne Township", he was a member of the Wayne Township Volunteer Fire Department for 40 years (beginning with Company 5 at Mickleyville), was President for over 20 years of the Wayne Township Republican Club--the world's largest Republican Club, was a Republican precinct committeeman for more than 40 years, was an elected member of the Wayne Township Board, an honorary state fire marshal, active in the Westbrook Church of the Nazarene, was a charter member of the Southwest Multi-Service Center of the Community Centers of Indianapolis, and was active in the 40 West Professional and Business Club, the Indiana Township Association, the Ben Davis Lions Club and the Variety Club International; and

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WHEREAS, Mr. Bogden generously gave of his time and talents to help make the west side of Indianapolis a better place in which to live and to raise a family; 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 respectfully pauses to remember the life of "Mr. Wayne Township", Charles Bogden.

SECTION 2. Few people ever really become "legends" in their own time, but Charlie Bogden was in fact just such a legend.

SECTION 3. The Council extends its heartfelt sympathy to Mr. Bogden's widow, Martha Louise; and to their sons, Charles "Butch" and Dennis.

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

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

PROPOSAL NO. 39, 1992. This proposal, sponsored by Councillor Beadling, recognizes Jerry Daniels and the Ink Spots. Councillor Beadling read the resolution and presented a framed document to Mr. Daniels, who expressed appreciation for the recognition. Councillor Beadling moved, seconded by Councillor Black, for adoption. Proposal No. 39, 1992 was adopted by unanimous voice vote.

Proposal No. 39, 1992 was retitled SPECIAL RESOLUTION NO. 6, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1992

A SPECIAL RESOLUTION recognizing Jerry Daniels and the Ink Spots.

WHEREAS, Jerry Daniels, an Indianapolis native, along with three others in the early 1930's formed the Ink Spots -- one of the greatest and widely known harmony singing groups of the era; and

WHEREAS, Mr. Daniels became especially interested in music when at school he noticed that students could get out of class while taking music lessons and performing; and

WHEREAS, after school, Daniels sang with neighborhood pals, coffee-pot bands, in vaudeville theaters and later appeared on radio in Indianapolis, Cleveland and Cincinnati; and

WHEREAS, already popular in the Midwest, the group went to New York City where they first took the name Ink Spots because someone else there already claimed the quartet's earlier name, and appeared on radio, in live theater, movie shorts, on phonograph records and later toured Europe; 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 Indianapolis native Jerry Daniels, one of the founders, and the last surviving member, of the original Ink Spots singing group.

SECTION 2. The Council thanks this talented native son for offering such beautiful and entertaining music to the people of this city and to the world for well over a half century.

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. 40, 1992. This proposal, sponsored by Councillors Borst and O'Dell, recognizes Myron (Mike) D. Higbee. Councillor Borst read the resolution and presented a framed document to Mr. Higbee, who expressed appreciation for the recognition.

Councillor Borst moved, seconded by Councillor O'Dell, for adoption. Proposal No. 40, 1992 was adopted by unanimous voice vote.

Proposal No. 40, 1992 was retitled SPECIAL RESOLUTION NO. 7, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 1992

A SPECIAL RESOLUTION recognizing Myron (Mike) D. Higbee.

WHEREAS, Myron (Mike) D. Higbee served as Director of the Indianapolis Department of Metropolitan Development from November, 1986, through December, 1991; and

WHEREAS, he came to the department in 1980 as an economic development project specialist, and rapidly was asked to assume progressively more responsibilities in this UNIGOV department; and

WHEREAS, during Mr. Higbee's years with the Department of Metropolitan Development, the city and department experienced some of the most dynamic activities in history; and

WHEREAS, during that period comprehensive neighborhood plans were updated, the department played a key role in several major job-producing industrial expansions, the Circle Centre Mall redevelopment project was approved, the Canal Redevelopment Project for commercial and residential improvement was begun, the new billion dollar United Airlines Maintenance Hub was negotiated, as well as other initiatives that were successfully accomplished during his eleven years with the department; and

WHEREAS, Mike Higbee attended Southern Illinois University, and is a graduate of Purdue University; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and thanks Myron (Mike) D. Higbee for his outstanding service to the city of Indianapolis from 1980 through 1991.

SECTION 2. Through his leadership, and the dedicated work of his staff, this community has enjoyed many nationally recognized accomplishments; as well as a host of more mundane, but far reaching, achievements in the areas of code enforcement, abandoned buildings legislation and ongoing professional neighborhood planning.

SECTION 3. The Council wishes Mike Higbee well in his future endeavors.

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

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

PROPOSAL NO. 41, 1992. This proposal, sponsored by Councillors Gilmer, Smith and Williams, honors Joseph Staehler. Councillor Gilmer read the resolution and presented a framed document to Mr. Staehler, who expressed appreciation for the recognition. Also present were Mr. Staehler's wife and son. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 41, 1992 was adopted by unanimous voice vote.

Proposal No. 41, 1992 was retitled SPECIAL RESOLUTION NO. 8, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 1992

A SPECIAL RESOLUTION concerning Joseph C. Staehler.

WHEREAS, after a successful twenty-five years profession in the U.S. Army Corps of Engineers where he was responsible for buildings, bridges, power plants, roads and numerous other properties, Colonel Joseph C. Staehler began his second career in 1985 as the Deputy Director for Street Engineering and Maintenance in the Indianapolis Department of Transportation; and

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WHEREAS, two years later he was appointed Director of the Department; and

WHEREAS, as Director, Mr. Staehler was responsible for the department's 463 employees; its \$50 million annual budget; and for maintaining and improving the city's 3,100 miles of streets, 18,500 intersections, and 477 bridges; and

WHEREAS, Mr. Staehler reorganized the department to become more responsive to its customer citizens, created business-like competition both within the department and with outside contractors, formed street preventative maintenance teams, graded managers upon how efficiently they handled taxpayers money, improved the department's computer, and initiated computerized weather forecasting along with road temperature sensors to more efficiently dispatch snow and ice removal crews; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends Joseph C. Staehler for his pioneering and innovative work as Director of the Indianapolis Department of Transportation.

SECTION 2. The Council wishes Colonel Staehler the best of success in his third employment career; and much happiness in his avocations of hunting, fishing, gardening and being active in Franklin Township civic activities.

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. 42, 1992. This proposal, sponsored by Councillors West and Beadling, recognizes Chief Joseph D. Kimbrew. Councillor West read the resolution and presented a framed document to Chief Kimbrew, who expressed appreciation for the recognition. Councillor West moved, seconded by Councillor Beadling, for adoption. Proposal No. 42, 1992 was adopted by unanimous voice vote.

Proposal No. 42, 1992 was retitled SPECIAL RESOLUTION NO. 9, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 9, 1992

A SPECIAL RESOLUTION recognizing Chief Joseph D. Kimbrew.

WHEREAS, Joseph D. Kimbrew was a sworn member of the Indianapolis Fire Department from March, 1955, until his retirement in January, 1992; and

WHEREAS, in 1987, Kimbrew was appointed as the first African-American chief in the department's history; and

WHEREAS, during his five years as chief, the department qualified 600 of its 750 officers as emergency medical technicians, imposed a mandatory fitness program, developed an incident command-center operations plan, expanded the department's recruitment and affirmative action policies, established a counseling program for firefighters involved in high-stress situations, built new firehouses, dramatically improved relations with neighboring fire departments and greatly improved departmental training; and

WHEREAS, Chief Kimbrew never claimed a sick day off during his 37 years with the department, earned the department's first annual Firefighter of the Year Award, and having been one himself, always retained a genuine concern about the firefighters on the street; 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 salutes Chief Joseph D. Kimbrew, a member of the Indianapolis Fire Department from 1955 to 1992, and a class act gentleman.

SECTION 2. Chief Kimbrew's actions serve as an inspiration and as a model for those in the fire service for generations to come.

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SECTION 3. Having had regular jobs since the eighth grade in school, the Council wishes Chief Kimbrew the best of luck in his hunting, fishing and all other enjoyable retirement amenities.

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

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

Councillor Ruhmkorff asked to hear Proposal No. 14, 1992 at this time. The President asked for consent to hear Proposal No. 14, 1992 immediately after Proposal No. 13, 1992. Consent was given.

PROPOSAL NO. 13, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 13, 1992 on January 14, 1992. The proposal approves the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety for a term ending December 31, 1992. By a 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Borst, for adoption.

Councillor Boyd asked that Mr. Beaver be presented to the Council. The President introduced Mr. Beaver, who said that he looks forward to working for the Council and for the community.

Councillor Black voiced his support for Mr. Beaver if he follows through on his stated intentions for the police department.

Proposal No. 13, 1992 was adopted on the following roll call vote; viz:

26 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

0 NAYS:

2 NOT VOTING: *Howard, Williams*

Proposal No. 13, 1992 was retitled COUNCIL RESOLUTION NO. 1, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 1, 1992

A COUNCIL RESOLUTION approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety for a term ending December 31, 1992.

WHEREAS, pursuant to IC 36-3-3-8 and Section 2-142 of the "Code of Indianapolis and Marion County, Indiana", a mayoral appointment of a Director of the Department of Public Safety is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Michael E. Beaver to serve as Director of the Department of Public Safety at his pleasure for a term ending December 31, 1992; now, therefore:

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

SECTION 1. Michael E. Beaver is approved and confirmed by the City-County Council to serve as Director of the Department of Public Safety at the pleasure of the Mayor for a term ending December 31, 1992.

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

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SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 14, 1992. The proposal is a rezoning ordinance for certain property in Warren Township, Councilmanic District 12, located at 7702 East 30th Street. Proposal No. 14, 1992 was certified by the Metropolitan Development Commission on January 3, 1992. On January 6, 1992 the Council voted to schedule a public hearing for January 27, 1992. The President asked Phillip Nicely, attorney for the petitioner, for a status report on this matter.

Mr. Nicely stated that he and Scott Akey, the remonstrator, have agreed to revised commitments, which have also been approved by the neighborhood. He requested approval by the Council.

Councillor Ruhmkorff stated that since the petitioner has agreed to substitute revised commitments that are acceptable to the remonstrators, she moved that Proposal No. 14, 1992 (Rezoning Petition No. 91-Z-137) be adopted subject to the revised commitments. This motion was seconded by Councillor West.

Councillor Black asked for a summary of the revisions. Mr. Nicely stated that there were a substantial number of commitments when the rezoning was passed by the Metropolitan Development Commission. He said that the commitments were enhanced to provide for additional screening, increased setback area, more landscaping, additional trees that would be planted in the event certain trees are removed and additional restrictions on certain uses that could be put to the property.

Proposal No. 14, 1992 was adopted by the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, Moriarty, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 NAYS:

3 NOT VOTING: Brents, Coughenour, Rhodes

Proposal No. 14, 1992 was retitled REZONING ORDINANCE NO. 2, 1992 and is identified as follows:

REZONING ORDINANCE NO. 2, 1992. 91-Z-137 (AMENDED) WARREN TOWNSHIP
COUNCILMANIC DISTRICT #12.

7702 EAST 30TH STREET, INDIANAPOLIS.

MICHAEL L. and JEAN RANSBURG OLSON, by Philip A. Nicely, requests the rezoning of 68.0 acres, being in the D-4 and D-A districts, to the I-2-S classification to provide for industrial development.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 23, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Mary Alice Buckler and John von Arx to the Information Services Agency Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 24, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving a change in ownership of the cable television franchise now owned by American Cablevision of Indianapolis"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 25, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 26, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$53,000 for the Prosecuting Attorney to provide Adult Protective Services funded by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 27, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$50,000 for the Prosecuting Attorney to operate the Street Terrorist Offender Program funded by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 28, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$128,134 for the Prosecuting Attorney to continue the Victim Assistance Program funded by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 29, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$94,700 to technically amend the budget with respect to allocations for Public Defender Services"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 30, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$96,430 of Home Detention User Fees for the Community Corrections Agency for operating expenses for the second half of the 1991-92 fiscal year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 31, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION renewing the Community Corrections program for fiscal year 1992-93 and approving the actions of the Community Corrections Advisory Board with respect to the 1992-93 grant application to the State"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 32, 1992. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Chapter 151 of the Revised Code revising the Council rules establishing committees"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 33, 1992. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Chapter 29 of the Code by adding a new Article IX concerning open alcoholic beverage containers in motor vehicles"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 34, 1992. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's

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appointment of Nancy Silvers as Deputy Mayor for a term ending December 31, 1992"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 35, 1992. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the Mayor's appointment of E. Mitchell Roob, Jr. as Director of the Department of Transportation for a term ending December 31, 1992"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 43, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Sign Regulations of Marion County by revising and relocating the definition of "integrated center"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 44, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on January 24, 1992". The Council did not schedule Proposal No. 44, 1992 for hearing pursuant to IC 36-7-4-608. Proposal No. 44, 1992 was retitled REZONING ORDINANCE NO. 8, 1992 and is identified as follows:

REZONING ORDINANCE NO. 8, 1992. 91-Z-159 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT #11.
3921 MILLERSVILLE ROAD (approximate address), INDIANAPOLIS.
COMMUNITY CHRISTIAN CHURCH requests the rezoning of 1.2 acres, being in the D-5 District, to the SU-1 classification to provide for the construction of a new church.

PROPOSAL NO. 45, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on January 24, 1992". The Council did not schedule Proposal No. 45, 1992 for hearing pursuant to IC 36-7-46-608. Proposal No. 45, 1992 was retitled REZONING ORDINANCE NO. 9, 1992 and is identified as follows:

REZONING ORDINANCE NO. 9, 1992. 91-Z-173 AMENDED WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT #21.
2530 WEST MORRIS STREET (approximate address), INDIANAPOLIS.
CONTINENTAL LUMBER COMPANY, by Stephen D. Mears, requests the rezoning of 10.75 acres, being in the C-4 and D-5 districts, to the Special Commercial (C-S) classification to provide for the development of a lumber company, other commercial uses and light industrial uses.

PROPOSAL NOS. 46-52, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 24, 1992". The Council did not schedule Proposal Nos. 46-52, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 46-52, 1992 were retitled REZONING ORDINANCE NOS. 10-16, 1992 and are identified as follows:

REZONING ORDINANCE NO. 10, 1992. 91-Z-144 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #14.
3414 EAST WASHINGTON STREET, INDIANAPOLIS.
BYRON M. MINER and BERYLE E. MINER, by Larry Lunn, request the rezoning of 2.5 acres, being in the I-4-U District, to the C-S classification to provide for auto body repair and painting, radiator repair, buying and selling used automobiles, wholesale of new cooling system parts, auto salvage storage and sale of entire automobiles or parts.

REZONING ORDINANCE NO. 11, 1992. 91-Z-151 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 25.
4580 RAHKE ROAD (approximate address), INDIANAPOLIS.
RAILROADMEN'S FEDERAL SAVINGS AND LOAN INC., by Michael J. Kias requests the rezoning of 11.963 acres, being in the D-A District, to the D-511 classification to provide for residential development.

PROPOSAL NO. 12, 1992. 91-Z-160 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #24.
3120 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.
CARSON PARTNERS, by James B. Burroughs, requests the rezoning of 8.094 acres, being in the C-3 District, to the C-4 classification to provide for commercial development.

PROPOSAL NO. 13, 1992. 91-Z-161 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #22.
231 NORTH COLLEGE AVENUE (approximate address), INDIANAPOLIS.
ROWLAND AND FRIST LTD. requests the rezoning of 0.64 acre, being in the I-3-U/HPS District, to the CBD2/HPS classification to provide for commercial development.

PROPOSAL NO. 14, 1992. 91-Z-167 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.
3815 KENTUCKY AVENUE, INDIANAPOLIS.
MICHAEL A. WILLIAMS, by Herman D. Strakis, requests the rezoning of 2.99 acres, being in the D-3 District, to the C-3 classification to provide for chiropractor offices.

PROPOSAL NO. 15, 1992. 91-Z-168 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT #15.
2050 NORTH PASADENA STREET (approximate address), INDIANAPOLIS.
PHYSICIAN'S PROPERTY PARTNERSHIP requests the rezoning of 0.485 acre, being in the D-4 District, to the C-1 classification to provide for medical offices.

PROPOSAL NO. 16, 1992. 91-Z-177 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT #05.
2301 NORTH CUMBERLAND ROAD (approximate address), INDIANAPOLIS.
SUNRISE REAL ESTATE DEVELOPMENT CORPORATION, by Brian J. Touhy, requests the rezoning of 58.15 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development, by platting.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 2, 1992. The proposal appropriates \$275,000 in the Recorder's Records Perpetuation Fund for the County Recorder to finance first-year document imaging costs. Councillor Rhodes asked for consent to postpone Proposal No. 2, 1992 until February 10, 1992. Consent was given.

PROPOSAL NOS. 4 and 5, 1992. PROPOSAL NO. 4, 1992. The proposal appropriates \$450,500 for the Marion County Superior Courts to establish and operate the Public Defender Services Agency. PROPOSAL NO. 5, 1992. The proposal appropriates \$297,206 for the Public Defenders Services Agency to pay the costs of adding two public defenders for each Criminal Court and two public defenders for the Juvenile Court. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 4 and 5, 1992 on January 22, 1992 and by a 6-0 vote the Committee recommended that Proposal Nos. 4 and 5, 1992 be tabled. Councillor Dowden asked for consent to postpone Proposal Nos. 4 and 5, 1992 until February 24, 1992. Consent was given.

PROPOSAL NO. 7, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 7, 1992 on January 14, 1992. The proposal, sponsored by Councillor Moriarty, transfers and appropriates \$299,042 for the Presiding Judge of the Municipal Court to pay the operating costs of the Court Violations Bureau and reduces the budget of the County Clerk. Councillor Dowden stated that Proposal No. 7,

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1992 was amended in Committee by reducing the total appropriation to \$253,127. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Moriarty stated that she will be voting against the amended version of the proposal because she feels that the original moneys requested should be transferred to allow the Court Violation Bureau (CVB) to function adequately. She said there is a discrepancy in the salary of the supervisor of the CVB--in the County Clerk's budget the position paid \$33,549, but the Clerk is only transferring \$26,584 for the position. Also the amount being transferred in supplies is not sufficient to last the year.

Councillor Golc said that he will also be voting against the proposal because of the salary discrepancy.

Councillor Dowden stated that the supervisory position is a part-time position and should not be paid the full-time salary of \$33,549.

Councillors Franklin and Schneider voiced their support of the proposal as amended.

Councillor Borst stated that he voted against this proposal in committee and will vote against it again because he believes the CVB should be the responsibility of the County Clerk--the Clerk's office should handle money and collect fees; whereas, the judicial branch should handle judicial matters. Also it has been established that the County Clerk can operate the CVB for \$46,000 less than the Municipal Court.

The President called for public testimony at 8:41 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption.

Councillor Williams asked what happens to the \$253,127 if Proposal No. 7, 1992, as amended, is defeated. Councillor Dowden replied that the moneys would remain in the County Clerk's budget.

Proposal No. 7, 1992, as amended, was adopted on the following roll call vote; viz:

19 YEAS: Beadling, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Howard, Jones, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams
9 NAYS: Black, Borst, Brents, Golc, Jimison, Moriarty, Mullin, Rhodes, Short

Proposal No. 7, 1992, as amended, was retitled FISCAL ORDINANCE NO. 1, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Two Hundred Fifty-three Thousand One Hundred Twenty-seven Dollars (\$253,127) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing certain other appropriations of the County Clerk.

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) and (d) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to cover

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costs of payroll, supplies and services in connection with reassumption of responsibility and control of the Court Violations Bureau.

SECTION 2. The sum of Two Hundred Fifty-three Thousand One Hundred Twenty-seven Dollars (\$253,127) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$200,748
2. Supplies	27,647
3. Other Services and Charges	<u>24,732</u>
TOTAL INCREASE	\$253,127

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

<u>COUNTY CLERK</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$200,748
3. Other Services and Charges	<u>52,379</u>
TOTAL REDUCTION	\$253,127

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

PROPOSAL NO. 8, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 8, 1992 on January 14, 1992. The proposal appropriates \$11,500 for the Sheriff to continue the salary of one part-time employee who is assisting with the Child Abuse Awareness Program. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:42 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Gilmer, for adoption. Proposal No. 8, 1992, as amended, was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Borst, Boyd, Curry, Dowden, Giffin, Golc, Hinkle, Howard, Jimison, Jones, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West*

0 NAYS:

7 NOT VOTING: *Black, Brents, Coughenour, Franklin, Gilmer, Smith, Williams*

Proposal No. 8, 1992, as amended, was retitled FISCAL ORDINANCE NO. 2, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Eleven Thousand Five Hundred Dollars (\$11,500) in the County Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (z) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to continue with payment of personnel costs for one part-time person assisting with the Child Sexual Abuse Awareness Program.

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SECTION 2. The sum of Eleven Thousand Five Hundred Dollars (\$11,500) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	\$ 8,780
3. Other Services and Charges	1,500
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>1,220</u>
TOTAL INCREASE	\$11,500

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>\$11,500</u>
TOTAL REDUCTION	\$11,500

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

PROPOSAL NO. 9, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 9, 1992 on January 14, 1992. The proposal appropriates \$411,343 for the Sheriff to pay the salary of an additional dispatcher and contracts with Rural Fire Corporation to provide fire emergency dispatching. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:49 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 9, 1992, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:

Proposal No. 9, 1992, as amended, was retitled FISCAL ORDINANCE NO. 3, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 3, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Four Hundred Eleven Thousand Three Hundred Forty-three Dollars (\$411,343) in the County General Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (z) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to add one dispatcher to operate the Rural Fire portion of the Public Safety Answering Point (PSAP) and to allow for the contracting with Rural Fire Corporation to provide fire emergency dispatching.

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SECTION 2. The sum of Four Hundred Eleven Thousand Three Hundred Forty-three Dollars (\$411,343) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 20,117
3. Other Services and Charges	384,625
<u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>6,601</u>
TOTAL INCREASE	\$411,343

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$411,343</u>
TOTAL REDUCTION	\$411,343

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

PROPOSAL NO. 10, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 10, 1992 on January 14, 1992. The proposal appropriates \$25,600 for the Domestic Relations Bureau to fund personnel expenses for the Visiting Nurse Service through an Indiana Criminal Justice Institute grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:52 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 10, 1992 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Golc, Hinkle, Jimison, Jones, Moriarty, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams*
0 NAYS:
3 NOT VOTING: *Franklin, Howard, Rhodes*

Proposal No. 10, 1992 was retitled FISCAL ORDINANCE NO. 4, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Twenty-five Thousand Six Hundred Dollars (\$25,600) in the State & Federal Grants Fund for purposes of the Domestic Relations Counseling Bureau and reducing the unappropriated and unencumbered balance in the State and Federal Grants 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 (uu) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Domestic Relations Counseling Bureau to pay personnel costs for the Visiting Nurse Service as part of its Family Connection Center Program.

SECTION 2. The sum of Twenty-five Thousand Six Hundred Dollars 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>DOMESTIC RELATIONS COUNSELING BUREAU</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>\$25,600</u>
TOTAL INCREASE	\$25,600

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$25,600</u>
TOTAL REDUCTION	\$25,600

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 22, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 22, 1992 on January 14, 1992. The proposal makes the director of the Department of Public Safety the director of the Marion County Justice Agency by virtue of his office. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Gilmer, for adoption.

Councillor Williams said that over the years she has consistently expressed concern about the functions and personnel that have been assimilated in the Justice Agency that are unrelated to the agency's original intent, which was information management. But she was persuaded of the need for this agency to be independent and separate from the Department of Public Safety. She stated that she will be voting against Proposal No. 22, 1992 because she believes this agency should remain independent and separate.

Proposal No. 22, 1992 was adopted on the following roll call vote; viz:

25 YEAS: Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West
2 NAYS: Boyd, Williams
1 NOT VOTING: Beadling

Proposal No. 22, 1992 was retitled GENERAL ORDINANCE NO. 1, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 1, 1992

A GENERAL ORDINANCE amending Section 2-317 and Section 2-319 of the Code dealing with the Director of the Marion County Justice Agency.

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

SECTION 1. Section 2-317 and Section 2-319 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the language underscored and deleting the language stricken-through to read as follows:

Sec. 2-317. Additional Duties and Responsibilities.

The board shall be charged with the following duties and responsibilities:

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- (a) To confer with the appropriate city, county, regional and federal agencies concerned with law enforcement and the administration of justice for the purpose of improving programs and policies;
- (b) To confer with the appropriate city, county, regional and federal agencies for the purpose of securing funds for the support of the MCJA;
- (c) To advise law enforcement and the justice agencies on improved policies and programs;
- (d) To determine the means of financing any justice related information services, subject to the approval of the council where applicable;
- (e) To review and approve all budgets, contracts and expenditures for services, equipment purchases, rents or leases, consultants, management or technical personnel, studies, programs and materials or supplies for the subject agencies' common database justice information system;
- (f) To conduct studies and evaluations of any and all information needs and current systems operating in the subject agencies;
- (g) To contract for technical and specialized assistance in administering its duties;
- (h) To require annual plans and resources inventories of the subject agencies and submit such plans for inclusion in the annual city/county master plan for information services;
- (i) To develop, maintain and communicate information services policy for the subject agencies;
- (j) To submit job descriptions and salary levels consistent with ISA and the standards established by the auditor's office;
- ~~(k) To approve the employment or retention by personal services contract a director for justice systems who shall have such duties as directed herein. This director will report administratively to the director of ISA retained by the ISA board;~~
- ~~(k)(l)~~ To promulgate rules and regulations for the efficient administrations of its policies and procedures for the subject agencies;
- ~~(l)(m)~~ To establish requirements for standards for privacy of personally identifiable confidential information and security of systems and records of subject agencies;
- ~~(m)(n)~~ To delegate any functions to the director, subject to review by the board;
- ~~(n)(o)~~ To hire personnel, who serve at the director's pleasure according to law, to carry out its duties;
- ~~(o)(p)~~ To undertake such other 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; and
- ~~(p)(q)~~ To contract for assistance in the collection of money owed to the subject agencies and to add the costs of collection, if amount owed exceeds twenty-five dollars (\$25.00) and became delinquent after July, 1986, to the amount owed and collected.

Sec 2-319. Director - Qualifications; responsibilities generally.

~~The director shall meet with the board as a non-voting member. The director shall have such qualifications and experiences as set by the board. The Director of the Department of Public Safety shall serve as the Director of the MCJA by virtue of his office.~~ The director shall be the senior administrator of the MCJA and shall act as technical advisor and provide staff support for the board in its deliberations. The director shall have the authority and responsibility to act for the board in its name on a daily operational basis when the board is not in session, but all such action shall be subject to the review of the board.

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

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ANNOUNCEMENTS AND ADJOURNMENT

The President informed the new members of the Council that if for some reason they are unable to attend committee meetings, they need to inform the chairman of the committee. Also he urged the new members to read the committee minutes.

Councillor Howard announced that the King-Walker-Wilkins-Young Memorial Awards Dinner will be on February 12, 1992.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:10 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 27th day of January, 1992.

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)