

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

**REGULAR MEETINGS  
MONDAY, JULY 20, 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, July 20, 1992, with Councillor SerVaas presiding.

Councillor Rhodes 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:

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

*Journal of the City-County Council*

Chambers, on Monday, July 20, 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

July 6, 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, July 9, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 298, 299, 300 and 301, 1992, to be held on Monday, July 20, 1992, 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, Beverly S. Rippy, the following ordinances and resolutions:

SPECIAL RESOLUTION NO. 51, 1992, recognizing the Kiwanis International Convention.

SPECIAL RESOLUTION NO. 52, 1992, recognizing Julie Anderson.

SPECIAL RESOLUTION NO. 53, 1992, recognizing Thomas J. Quinn.

SPECIAL ORDINANCE NO. 6, 1992, establishing an Airport Economic Development Tax Area.

SPECIAL ORDINANCE NO. 7, 1992, authorizing the issuance of City of Indianapolis, Indiana Economic Development Mortgage Revenue Refinancing Bonds, Series 1992 (James A. House, Jr. and Elizabeth L. House Project) in the aggregate principal amount of \$1,650,000.

GENERAL RESOLUTION NO. 3, 1992, approving a contract for the acquisition of professional services to provide a residential community corrections program.

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.

### **APPROVAL OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of June 22, 1992. There being no additions or corrections, the minutes were approved as distributed.

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## **OVERVIEW OF REORGANIZATION OF DEPARTMENTS OF ADMINISTRATION, METROPOLITAN DEVELOPMENT, PARKS AND RECREATION, PUBLIC WORKS AND TRANSPORTATION**

Stephen Goldsmith, Mayor, City of Indianapolis, stated that there are no major substantive changes in the restructuring of the following departments: Administration, Metropolitan Development, Parks and Recreation, Public Works and Transportation. He introduced the members of his administration who presented an overview of the reorganization of each of the departments: Cathy Cregor, Deputy Mayor, Department of Administration; Nancy Silvers, Deputy Mayor, Department of Metropolitan Development; Leon Younger, Director, Department of Parks and Recreation; Barry Baer, Director, Department of Public Works; and Mitch Roob, Director, Department of Transportation.

Councillor Coughenour asked that the Councillors receive organizational charts with the staff's names and telephone numbers of the departments plus the Mayor's Office. Councillor Black asked for the salary breakdown of the staff.

Councillor Curry asked the following questions: (1) can all the department charts show how responsibility flows to the Mayor, (2) what functions are reported directly to the Mayor and how do they supplement or complement department functions, (3) where does the ongoing Asset Management reside, and (4) can the proposed budgets for 1993 show reconstructed 1992 sources for each character and significant object to help the Council see the impact of the new organization. The President suggested that Councillor Curry put his requests in writing and the Clerk will see that the Mayor receives it.

Councillor Howard questioned Deputy Mayor Cregor on how the Equal Opportunity Division will be able to ensure compliance with affirmative action goals with a reduced staff. Deputy Mayor Cregor replied that the administration has realigned, not eliminated, the equal opportunity function. She said that Mayor Goldsmith will be making a major announcement regarding equal opportunity in the next few weeks.

Councillor Black requested a report from the city departments outlining their affirmative action program.

Councillor Gilmer asked who he should consult concerning economic questions in his district. Deputy Mayor Cregor replied that the Mayor recently announced a small business ombudsman, Gene Lausch; and Councillor Gilmer could also contact Larry Gigerich, special assistant to Mayor Goldsmith for economic development.

Councillor Boyd stated that the Council has advise and consent authority over deputy mayor appointees. He expressed concern that there are two other persons who are on Mayor Goldsmith's staff, who operate on the same level of authority as the two deputy mayors, and who are not subject to Council approval.

## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 315, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$1,168,855 for the Department of Administration, Occupational and Community Services Division, to provide summer employment for youths through utilization of federal grants via the State"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 316, 1992. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$100,000 for the Department of Administration, Legal Division, to cover unexpected litigation expenses"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 317, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$25,000 for the Department of Administration, Human Resources Division, to pay for computerization expenses"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 318, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the lease of approximately 15,000 square feet of office space for the Marion County Cooperative Extension Service"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 319, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$250,000 for the Department of Metropolitan Development, Planning Division, to cover organizational costs to improve the efficiency of the transportation system"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 320, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$130,694 for the Department of Metropolitan Development, Planning Division, to support a Ft. Harrison planning team"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 321, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$25,000 for the Department of Parks and Recreation to provide summer programs for children, funded by Lilly Endowment, United Way and the English Foundation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 322, 1992. Introduced by Councillor Moriarty. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$500 for the Presiding Judge of the Municipal Court to assist with the GED/Adult Basic Education program, funded by Indiana National Bank"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 323, 1992. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$51,100 for the Superior Court, Juvenile Division/Detention Center, to continue the Guardian Ad Litem Program, funded by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 324, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$25,000 for the Forensic Services Agency to purchase chemical supplies"; and the President referred it to the Public Safety and Criminal Justice Committee.



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PROPOSAL NO. 325, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$72,587 for the Community Corrections Agency to provide additional security at the Marion County Community Corrections Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 326, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning the duties and responsibilities of the Marion County Justice Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 327, 1992. Introduced by Councillors SerVaas, Beadling, Borst, Franklin and Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning the Building Authority's security officers"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 328, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning weapons"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 329, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,254,250 for the Department of Public Works, Advanced Wastewater Treatment Division, to cover the costs of a study of the City's combined sewer overflow system"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 330, 1992. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Spinnaker Cove subdivision (District 5)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 331, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Bradford Meadows subdivision (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 332, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Crooked Creek subdivision (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 333, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at the intersection of Dandy Trail and 34th Street (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 334, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by

authorizing a traffic signal at the intersection of Moller Road and 46th Street (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 335, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at the intersection of Guion Road and 62nd Street (Districts 1 and 9)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 336, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at the intersection of Kentucky Avenue, Olender Drive and Southwest Drive (District 19)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 337, 1992. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by upgrading existing intersection controls to current DOT standards at various locations (District 18)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 338, 1992. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 4-way stop at the intersection of Bridgeport Road and Hau Eisen Road (District 19)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 339, 1992. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Brewster and Sawleaf Roads and Brewster and Staghorn Roads (District 3)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 340, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Merrill Street and Missouri Street (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 341, 1992. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a traffic signal at the intersection of German Church Road and 10th Street (District 12)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 342, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on both sides of Vermont Street between West Street and Toledo Street (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 343, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting parking restrictions on the east side of Meridian Street from a point 74 feet south of New York Street to a point 162 feet south of New York Street (District 16)"; and the President referred it to the Transportation Committee.

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PROPOSAL NO. 344, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the length of the current loading zone for the Indianapolis Symphony Orchestra, 45 Monument Circle (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 345, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a passenger and material loading zone at 100 East Court Street for the Summit Bank (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 346, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing an 88 foot bus stop zone on the west side of Pennsylvania Street, from a point 36 feet north of Ohio Street to a point 124 feet north of Ohio Street (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 347, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 35 mph speed limit on Dandy Trail between 46th Street and 56th Street (District 1)"; and the President referred it to the Transportation Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 348, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 17, 1992". The Council did not schedule Proposal No. 348, 1992 for hearing pursuant to IC 36-7-46-608. Proposal No. 348, 1992 was retitled REZONING ORDINANCE NO. 69, 1992 and is identified as follows:

REZONING ORDINANCE NO. 69, 1992. 91-Z-8 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT #06.  
520 WEST 46TH STREET, INDIANAPOLIS.  
METROPOLITAN DEVELOPMENT COMMISSION requests the rezoning of 1.144 acres, being in the UQ-2 District, to the D-5 classification to provide for the development of single-family housing.

PROPOSAL NO. 349, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 17, 1992". The Council did not schedule Proposal No. 349, 1992 for hearing pursuant to IC 36-7-46-608. Proposal No. 349, 1992 was retitled REZONING ORDINANCE NO. 70, 1992 and is identified as follows:

REZONING ORDINANCE NO. 70, 1992. 92-Z-45 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT #25.  
120 NORTH 18TH AVENUE (approximate address), INDIANAPOLIS.  
J. GREG ALLEN requests the rezoning of 1.07 acres, being in the D-5 District, to the C-3 classification to provide for a drug store.

PROPOSAL NO. 350, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on July 17, 1992". The Council did not schedule Proposal No. 350, 1992 for hearing pursuant to IC 36-7-46-608. Proposal No. 350, 1992 was retitled REZONING ORDINANCE NO. 71, 1992 and is identified as follows:



REZONING ORDINANCE NO. 71, 1992. 92-Z-12 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT #18.  
8101 CRAWFORDSVILLE ROAD (approximate address), INDIANAPOLIS.  
JOHNSON, SMITH, DENSBORN, WRIGHT AND HEATH request the rezoning of 1.928 acres, being in the D-A District, to the I-2-S classification to provide for an office/warehouse for an electrical contractor.

PROPOSAL NOS. 351-354, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 17, 1992". The Council did not schedule Proposal Nos. 351-354, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 351-354, 1992 were retitled REZONING ORDINANCE NOS. 72-75, 1992 and are identified as follows:

REZONING ORDINANCE NO. 72, 1992. 92-Z-41 FRANKLIN TOWNSHIP.  
COUNCILMANIC DISTRICT # 23.  
6960 EAST STOP 11 ROAD (approximate address), INDIANAPOLIS.  
PEACE FREE WILL BAPTIST CHURCH, INC. requests the rezoning of 7.781 acres, being in the D-A District, to the SU-1 classification to provide for the development of a church.

REZONING ORDINANCE NO. 73, 1992. 92-Z-57 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 04.  
7401 GRAHAM ROAD (approximate address), INDIANAPOLIS,  
K & K REALTY, INC. requests the rezoning of 2.99 acres, being in the D-A District, to the D-2 classification to provide for residential development.

REZONING ORDINANCE NO. 74, 1992. 92-Z-59 PERRY TOWNSHIP.  
COUNCILMANIC DISTRICT #24.  
7525 MCFARLAND ROAD (approximate address), INDIANAPOLIS.  
KOE ENGINEERING AND SURVEYING requests the rezoning of 11.695 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 75, 1992. 92-Z-68 LAWRENCE TOWNSHIP.  
COUNCILMANIC DISTRICT # 05.  
10451 EAST 63RD STREET (approximate address), INDIANAPOLIS.  
SCM REAL ESTATE COMPANY DEVELOPMENT CORPORATION, by Thomas Michael Quinn, requests the rezoning of 0.7517 acre, being in the D-7 District, to the D-3 classification to provide for residential development.

PROPOSAL NOS. 355-357, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 17, 1992". The Council did not schedule Proposal Nos. 355-357, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 355-357, 1992 were retitled REZONING ORDINANCE NOS. 76-78, 1992 and are identified as follows:

REZONING ORDINANCE NO. 76, 1992. 91-Z-128 PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT #01.  
5650 WEST 85TH STREET, INDIANAPOLIS.  
MUTUAL LIFE INSURANCE COMPANY OF NEW YORK, by Mary E. Solada, requests the rezoning of 2.0 acres, being in the C-3/C-1 Districts, to the C-3 classification to provide for commercial development.

REZONING ORDINANCE NO. 77, 1992. 92-Z-60 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT #22.  
643 MASSACHUSETTS AVENUE (approximate address), INDIANAPOLIS.  
ASHER CONSTRUCTION AND DEVELOPMENT requests the rezoning of 0.21 acre, being in the I-3-U District, to the CBD-2 classification to provide for a reproduction and duplicating business with retail sales.

REZONING ORDINANCE NO. 78, 1992. 92-Z-64 WASHINGTON TOWNSHIP.  
COUNCILMANIC DISTRICT #03.  
7835 ALLISONVILLE ROAD (approximate address), INDIANAPOLIS.  
W. G. TAIT, INC., by Peter D. Cleveland, requests the rezoning of 3.1 acres, being in the D-A District, to the D-2 classification to provide for the development of a residential subdivision by platting.



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**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 298, 1992. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 298, 1992 on July 2, 1992. The proposal appropriates \$99,960 for the Department of Parks and Recreation to operate a Youth Conservation Corp program funded by a National Park Service 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 9:07 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Giffin, for adoption. Proposal No. 298, 1992 was adopted on the following roll call vote; viz:

*24 YEAS: Beadling, Black, Borst, Boyd, Brents, Curry, Franklin, Giffin, Gilmer, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Servaas, Shambaugh, Short, West, Williams*

*0 NAYS:*

*5 NOT VOTING: Coughenour, Dowden, Golc, Schneider, Smith*

Proposal No. 298, 1992 was retitled FISCAL ORDINANCE NO. 38, 1992 and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 38, 1992**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Ninety-nine Thousand Nine Hundred Sixty Dollars (\$99,960) in the Park General Fund for purposes of the Department of Parks and Recreation, Administration Division, and reducing the unappropriated and unencumbered balance in the Park 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 1.01 of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, Administration Division, to appropriate a National Park Service Grant to operate the Youth Conservation Corp program.

SECTION 2. The sum of Ninety-nine Thousand Nine Hundred Sixty Dollars (\$99,960) 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>DEPARTMENT OF PARKS AND RECREATION</u>	
<u>ADMINISTRATION DIVISION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	\$56,947
3. Other Services and Charges	<u>43,013</u>
TOTAL INCREASE	\$99,960

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	<u>\$99,960</u>
TOTAL REDUCTION	\$99,960

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

PROPOSAL NO. 299, 1992. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 299, 1992 on July 2, 1992. The proposal appropriates \$8,800 for the Department of Parks to conduct youth cultural enrichment programs funded by a

Clowes Foundation 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 9:09 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Howard, for adoption. Proposal No. 299, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Coughenour, Golc, Ruhmkorff*

Proposal No. 299, 1992 was retitled FISCAL ORDINANCE NO. 39, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Eight Thousand Eight Hundred Dollars (\$8,800) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing the unappropriated and unencumbered balance in the Park 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 1.01 of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation, Recreation and Sports Facilities Division, to appropriate a Clowes Foundation Grant to be used for youth cultural enrichment programs.

SECTION 2. The sum of Eight Thousand Eight Hundred Dollars (\$8,800) 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>DEPARTMENT OF PARKS AND RECREATION</u> <u>RECREATION AND SPORTS FACILITIES DIVISION</u>	<u>PARK GENERAL FUND</u>
3. Other Services and Charges	<u>\$8,800</u>
TOTAL INCREASE	\$8,800

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered Park General Fund	<u>\$8,800</u>
TOTAL REDUCTION	\$8,800

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

PROPOSAL NO. 300, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 300, 1992 on June 24, 1992. The proposal appropriates \$297,820 in the County Corrections Fund for the Auditor, Sheriff, Community Corrections, and the Justice Agency to provide for the continuation of various programs. Councillor Dowden said the Community Corrections figures were revised in Committee. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

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Councillor Dowden moved to amend Section 3, Community Corrections, Character 3, to reflect the correct amount of \$61,355.

[Clerk's Note: The President ruled that this was a technical amendment which did not necessitate a vote.]

The President called for public testimony at 9:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 300, 1992, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Coughenour, Golc, Hinkle*

Proposal No. 300, 1992, as amended, was retitled FISCAL ORDINANCE NO. 40, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Two Hundred Ninety-seven Thousand Eight Hundred Twenty Dollars (\$297,820) in the County Corrections Fund for purposes of the County Auditor, County Sheriff, Community Corrections, and the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b), (z), (aa) and (dd) 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 Auditor, County Sheriff, Community Corrections, and the Marion County Justice Agency to provide for the continuation of various programs.

SECTION 2. The sum of Two Hundred Ninety-seven Thousand Eight Hundred Twenty Dollars (\$297,820) 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 CORRECTIONS FUND</u>
<u>COUNTY AUDITOR</u> (Fringes)	
1. Personal Services	\$ 23,985
<u>COUNTY SHERIFF</u> (Offenders Aid Restoration)	
3. Other Services and Charges	22,500
<u>COUNTY SHERIFF</u> (Riverside)	
3. Other Services and Charges	67,613
<u>COMMUNITY CORRECTIONS</u> (Jail Services)	
1. Personal Services	21,367
3. Other Services and Charges	61,355
<u>MARION COUNTY JUSTICE AGENCY</u> (Screening)	
1. Personal Services	18,500
<u>MARION COUNTY JUSTICE AGENCY</u> (Jail Ombudsman)	
1. Personal Services	23,500



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MARION COUNTY JUSTICE AGENCY (Drug Testing Program)

1. Personal Services	55,625
3. Other Services and Charges	963
4. Capital Outlay	<u>2,412</u>
TOTAL INCREASES	\$297,820

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

	<u>COUNTY CORRECTIONS FUND</u>
Unappropriated and Unencumbered	
County Corrections Fund	<u>\$297,820</u>
TOTAL REDUCTION	<u>\$297,820</u>

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

PROPOSAL NO. 301, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 301, 1992 on June 24, 1992. The proposal appropriates \$15,905 for the Community Corrections Agency to move a position funded by the Community Corrections Fund to the Home Detention User Fee Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:19 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 301, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 301, 1992 was retitled FISCAL ORDINANCE NO. 41, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Fifteen Thousand Nine Hundred Five Dollars (\$15,905) in the Home Detention User Fee Fund for purposes of the Community Corrections Department and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (aa) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Community Corrections Department to move a position from the County Correction Fund to Home Detention User Fees, in order to free funds for the Sheriff's Department in the County Correction Fund.

SECTION 2. The sum of Fifteen Thousand Nine Hundred Five Dollars (\$15,905) 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:

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COMMUNITY CORRECTIONS

1. Personal Services

HOME DETENTION USER FEE FUND

\$13,405

COUNTY AUDITOR

1. Personal Services (Fringes)

2,500

TOTAL INCREASE

\$15,905

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

HOME DETENTION USER FEE FUND

Unappropriated and Unencumbered

Home Detention User Fee Fund

\$15,905

TOTAL REDUCTION

\$15,905

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. 254, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 254, 1992 on June 1 and July 2, 1992. The proposal, sponsored by Councillors Smith and Short, amends the Code concerning vacation leave for retired employees who are subsequently employed by public safety agencies. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Rhodes moved, seconded by Councillor Smith, to strike. Proposal No. 254, 1992 was stricken by unanimous voice vote.

PROPOSAL NO. 282, 1992. The proposal concerns the reorganization of the Department of Metropolitan Development. Councillor Borst asked for consent to postpone Proposal No. 282, 1992 until August 3, 1992. Consent was given.

PROPOSAL NO. 290, 1992. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 290, 1992 on July 14, 1992. The proposal amends the Enforcement and Remedies Ordinance of Marion County. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Gilmer, for adoption. Proposal No. 290, 1992 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*4 NOT VOTING: Beadling, Black, Brents, Dowden*

Proposal No. 290, 1992 was retitled GENERAL ORDINANCE NO. 41, 1992 and reads as follows:

CITY-COUNTY ORDINANCE NO. G.O. 41, 1992

Metropolitan Development Commission  
Docket No. 92-AO-5

A GENERAL ORDINANCE to amend the Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County which ordinance includes the Enforcement and Remedies Ordinance, and fixing a time when the same shall take effect; now, therefore:

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

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SECTION 1. The Enforcement and Remedies Zoning Ordinance of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 88-AO-5, pursuant to IC 36-7-4, be amended as follows:

PART 26. CIVIL ZONING VIOLATIONS

- a. That Sec. 2, C., be amended by inserting the underscored language as follows:
  - C. Inoperable Motor Vehicle means: (1) a motor vehicle from which there has been removed the engine, transmission or differential or that is otherwise partially dismantled or mechanically inoperable, or (2) any motor vehicle which cannot be driven on a city street without being subject to the issuance of a traffic citation by reason of its operating condition or the lack of a valid license plate.
- b. That Sec. 6, A., be amended by deleting the stricken-through language and inserting the underlined language as follows:
  - A. The following shall be deemed civil zoning violations which may be enforced by the designated enforcement entity in accordance with the procedures set forth in Secs. 6, 7 and 8 of this ordinance:
    1. The location, erection, or maintenance of any sign not specifically permitted by the Sign Regulations of Marion County, Indiana;
    2. The failure to obtain an Improvement Location Permit when one is required by the terms and provisions of the Improvement Location Permit Ordinance of Marion County, Indiana;
    3. The outdoor storage of junk, trash, or debris in any zoning district the provisions of which do not specifically permit such a use;
    4. The outdoor storage of inoperable motor vehicles or motor vehicle parts in any zoning district the provisions of which do not specifically permit such a use;
    5. The parking or storage, in any zoning district the provisions of which do not specifically permit such a use, of any motor vehicle used or designed: (a) for use in pulling, towing, hauling, transporting, or (b) as a temporary or permanent base, platform or support for equipment, machinery, material or other goods (including but not limited to stake body trucks, dump trucks or tractors having dual rear wheels or more than two (2) axles, semi-trailer tractors, semi-trailer and trailers having dual rear wheels or more than one (1) axle or having an overall length of more than twelve (12) feet). However, this provision does not apply to motor vehicles which do not exceed the three-quarter ton load classification in size and which are the primary source of transportation for an individual whose primary place of residence is the particular dwelling at which the commercial motor vehicle is parked on a regular basis; ~~and~~
    6. The outdoor storage or display of merchandise or goods in any zoning district the provisions of which do not specifically permit such a use or in violation of zoning district development standards regulating said use;
    7. The conduct of any activity in a dwelling zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district, and which activity has not been legally established by a currently valid variance, special exception or other approval grant;
    8. Failure to comply with zoning district development standards, including but not limited to landscaping, paving or striping of parking areas, minimum parking space requirements, dumpster enclosure, fencing or screening requirements;
    9. The failure to comply with the terms, provisions, conditions or commitments of a variance grant, special exception, rezoning ordinance, or other approval grant; and,
    10. The violation of a Stop Work Order issued pursuant to Section 5.
- c. That Sec. 6, C., be amended by inserting the underlined language as follows:
  - C. Each day a violation remains uncorrected is a distinct and separate civil violation subject to an additional citation and fine in the amount prescribed by subsection (D) below provided a warning ticket, if required, has first been issued pursuant to 7(B).



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d. That Sec. 7, A., be amended by deleting the stricken-through language and inserting the underlined language as follows:

A. The Administrator or his duly authorized designees may issue a civil citation to a person who commits a civil zoning violation or ~~to the legal owner, the contract vendee, or any person or entity with a possessory interest in the real estate upon which the violation occurs~~ allows a civil zoning violation to be committed on real estate in which the person has a possessory interest. The citation may be served by personal service, by certified mail, by First Class U.S. mail or by placement in a conspicuous place on the property where the violation occurs and shall serve a notice to a person that he has committed a civil zoning violation.

e. That Sec. 7, B., be amended by inserting the underlined language as follows:

B. No citation shall be issued unless the person who commits a civil zoning violation or allows a civil zoning violation to be committed on real estate in which the person has a possessory interest ~~the legal owner, the contract vendee, or any person or entity with a possessory interest in the real estate upon which the violation occurs~~ has been issued a warning ticket not less than ten (10) days before the issuance of the citation to allow said person to correct the violation to come into compliance with the prescribed zoning ordinance or regulation. However, the issuance of a warning ticket is not required before issuing a citation for the violation of a Stop Work Order issued pursuant to Section 5.

f. That Sec. 8, C., be amended by inserting the underlined language as follows:

C. In proceedings before the Court for a Civil zoning violation, the Indiana Rules of Trial Procedure shall govern. The designated enforcement entity has the burden of proving the civil zoning violation by a preponderance of the evidence. It shall be a defense to an action to enforce a civil zoning violation citation that the use or activity alleged to be a civil zoning violation is a legally established nonconforming use.

SECTION 2. If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-7-4-607.

Councillor Rhodes stated that he was not present when Proposal Nos. 295 and 296, 1992 were heard in Committee and has asked Councillor Curry to give the Committee report.

PROPOSAL NO. 295, 1992. Councillor Curry reported that the Administration and Finance Committee heard Proposal No. 295, 1992 on July 2, 1992. The proposal approves an amendment to the Marion County Jail Lease and an amendment to the Marion County Juvenile Detention Center Lease. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Giffin, for adoption. Proposal No. 295, 1992 was adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Black, Borst, Boyd, Brents, Curry, Gilmer, Golc, Hinkle, Howard, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

7 NOT VOTING: *Coughenour, Dowden, Franklin, Giffin, Ruhmkorff, Schneider, Smith*

Proposal No. 295, 1992 was retitled SPECIAL RESOLUTION NO. 54, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 1992

A SPECIAL RESOLUTION approving an Amendment to Marion County Jail Lease dated March 9, 1983, between Indianapolis-Marion County Building Authority ("Authority") and County of Marion, Indiana ("County") and an Amendment to Marion County Juvenile Detention Center dated April 6, 1988 between the Authority and the County.

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WHEREAS, the Authority and County entered into a Marion County Jail Lease ("Jail Lease") on March 9, 1983 pursuant to which the County leased from the Authority the Marion County Jail; and

WHEREAS, the Authority and County entered into a Marion County Juvenile Detention Center Lease ("Juvenile Detention Center Lease") on April 6, 1988 pursuant to which the County leased from the Authority the Juvenile Detention Center; and

WHEREAS, Section 4.02 of the Jail Lease and of the Juvenile Detention Center Lease provides that the County shall pay to the Authority Additional Annual Rent to cover the cost of operation and maintenance of the Marion County Jail and the Marion County Juvenile Detention Center; and

WHEREAS, the County desires to amend the Jail Lease and the Juvenile Detention Center Lease to change the dates on which the semi-annual installments of Additional Annual Rent shall be paid by the County to the Authority from the thirtieth days of June and December of each year to the second day of January and the first day of July of each year; and

WHEREAS, there has been presented to the Council a proposed Amendment to Jail Lease and a proposed Amendment to Juvenile Detention Center Lease reflecting the change in the dates on which semi-annual installments of Additional Annual Rent shall be paid by the County to the Authority; now, therefore;

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

SECTION 1. The City-County Council hereby approves the Amendment to Jail Lease and the Amendment to Juvenile Detention Center Lease substantially in the form presented to this meeting and filed with the Clerk of the Council.

SECTION 2. The Mayor of the City of Indianapolis, successor to the powers of the Board of Commissioners of the County of Marion, and the Marion County Auditor for and on behalf of the County of Marion, Indiana, are hereby authorized to execute and attest the Amendment to Jail Lease and the Amendment to Juvenile Detention Center Lease on file with the Clerk of the Council.

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

PROPOSAL NO. 296, 1992. Councillor Curry reported that the Administration and Finance Committee heard Proposal No. 296, 1992 on July 2, 1992. The proposal, sponsored by Councillor Ruhmkorff, transfers and appropriates \$4,000 for the Warren Township Assessor to cover gasoline expenses. Councillor Curry said that the Warren Township Assessor's Office purchased two vehicles from Central Equipment Management Division, for which it paid \$1.00 each, and it now needs to transfer money from "Mileage" to "Gasoline." By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Ruhmkorff, for adoption.

Councillor Hinkle asked how the Warren Township Assessor's Office is going to maintain the two vehicles. Councillor Curry responded that question did not come up in the meeting.

Proposal No. 296, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 296, 1992 was retitled FISCAL ORDINANCE NO. 42, 1992 and reads as follows:

July 20, 1992

CITY-COUNTY FISCAL ORDINANCE NO. 42, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Four Thousand Dollars (\$4,000) in the Property Reassessment Fund for purposes of the Warren Township Assessor and reducing certain other appropriations for that office.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (t) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Warren Township Assessor to pay for gasoline.

SECTION 2. The sum of Four Thousand Dollars (\$4,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>WARREN TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
2. Supplies	\$4,000
TOTAL INCREASE	\$4,000

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

<u>WARREN TOWNSHIP ASSESSOR</u>	<u>PROPERTY REASSESSMENT FUND</u>
3. Other Services and Charges	\$4,000
TOTAL REDUCTION	\$4,000

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

PROPOSAL NO. 302, 1992. Councillor Gilmer reported that the Transportation Committee heard Proposal No. 302, 1992. The proposal transfers and appropriates \$350,000 for the Department of Transportation, Operations Division, to increase funding for resurfacing. Councillor Gilmer said he asked Mr. Roob what streets were going to be resurfaced; and Mr. Roob replied that the street projects are prioritized so whatever are the next streets on the list will be the next streets to be resurfaced. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst requested that he would like to know where it is going to be used. President suggested that Councillor Gilmer ask George Lynch, Executive Assistant, Department of Transportation, to issue a memo to the Councillors informing them in what districts this \$350,000 is going to be used for resurfacing.

Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 302, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Black, Giffin, West*

Proposal No. 302, 1992 was retitled FISCAL ORDINANCE NO. 43, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Three Hundred Fifty Thousand Dollars (\$350,000)



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in the Transportation General Fund for purposes of the Department of Transportation, Operations Division, and reducing certain other appropriations from the Department of Transportation, Finance and Administration Division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Transportation, Operations Division, to pave an additional 3.5 miles of road surface.

SECTION 2. The sum of Three Hundred Fifty Thousand Dollars (\$350,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF TRANSPORTATION	
<u>OPERATIONS DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
3. Other Services and Charges	<u>\$350,000</u>
TOTAL INCREASE	\$350,000

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

DEPARTMENT OF TRANSPORTATION	
<u>OPERATIONS DIVISION</u>	<u>TRANSPORTATION GENERAL FUND</u>
4. Capital Outlay	\$200,000

DEPARTMENT OF TRANSPORTATION	
<u>FINANCE AND ADMINISTRATION DIVISION</u>	
4. Capital Outlay	<u>150,000</u>
TOTAL REDUCTION	\$350,000

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

### ANNOUNCEMENTS AND ADJOURNMENT

The President reported on a recent court case involving one of his companies and Time-Warner.

Councillor Short commended two recent city programs: the gun amnesty program and Youth City.

Councillor West reminded the Council that any office or department that wants to add to the size of its vehicle fleet has to come before the Council for approval.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:00 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 20th day of July, 1992.

July 20, 1992

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

*Bewert Serwaas*

President

ATTEST:

*Ben J. Kuyper*  
Clerk of the Council

(SEAL)