

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

**REGULAR MEETINGS
MONDAY, AUGUST 3, 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 7:20 p.m. on Monday, August 3, 1992, with Councillor SerVaas presiding.

Councillor O'Dell introduced members of the Irvington Morning Optimist Club who joined him in leading the opening prayer. Councillor O'Dell 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.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Gilmer introduced Bill York, a Pike Township resident. Councillor Borst introduced two of his constituents from District 25, Carolyn Niehaus and Steve Johnes. Councillor Franklin introduced Jesse Moore, who was recently named the interim director of Community Action of Greater Indianapolis Board and who is also a member of the Parks Board. Councillor Black introduced Mary Walker, a constituent of his from District 6.

OFFICIAL COMMUNICATIONS

Hon. Stephen Goldsmith, Mayor, presented his annual city budget to the Council with the following remarks:

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Tonight I submit my first budget as the Mayor of Indianapolis. It is another important step in the process of turning promises into policies that will help guide Indianapolis into the next century.

In the last seven months, my pledge of remaking Indianapolis around its neighborhoods has become a comprehensive reorganization of city government that has solicited neighborhood input. My pledge to introduce competition into city government has become the Service, Efficiency, and Lower Taxes for Indianapolis Commission, and a broad-based effort to let market forces improve government services. My pledge to strike a balance between our desire to create jobs and our need to protect the health and safety of our citizens has become the Regulatory Study Commission, a group that will review every city regulation that affects businesses to insure that the benefit of the regulation is greater than its cost. And my pledge to get more police officers in the neighborhoods and fewer behind desks has become one of the most comprehensive reorganizations of any police force in the nation.

This budget delivers to the people of Indianapolis three more accomplishments they have rightfully demanded and we have pledged:

- Total operating spending has been reduced.
- The size of city government has been reduced.
- Taxes will not be increased.

PRINCIPLES

Before I discuss the details of my proposal, I'd like to reiterate briefly the principles upon which my administration operates and upon which this budget was developed.

First, people governed least are governed best. Government exists to serve. Period. It should provide only those services that the people cannot obtain for themselves through the marketplace.

Second, government should be a rudder, not an engine. Government should be not so much an administrator as a facilitator. It should identify needs that the marketplace cannot fulfill, then empower people and families to fill those needs. It should not attempt to be big brother, and it should never attempt to replace the family. Government should create an atmosphere in which businesses can thrive, but it cannot replace the marketplace.

Third, people know better than government. Every time government raises taxes, it makes a bold statement. It says to people, "We know how to spend your money better than you do." In reality, maximizing the range of choices people have in the free market -- by maximizing the amount of money they keep for themselves -- is the best way to guarantee health, happiness, and security.

Finally, government should be measured the same way every other enterprise is measured: by its results. We shouldn't talk in terms of programs funded or salaries paid, but rather in terms of neighborhoods protected, children educated, and fires extinguished. If people aren't getting a dollar's worth of service for every dollar they pay in taxes, then government isn't helping them -- it's hindering them.

PRIORITIES

Community policing: Although Indianapolis is still a safe place to raise a family or locate a business, we have not completely escaped the increasing violence that plagues America's larger cities. I am resolved to remake our police department around our neighborhoods by putting more officers in our neighborhoods and fewer behind desks. Our officers will have a greater opportunity to assist families, churches and schools; to restore and maintain order; and to treat problems before they lead to crimes. The 1993 budget increases funding for public safety.

Neighborhood and environmental investment: As I said many times in my campaign, the soul of Indianapolis is in its neighborhoods. We want to empower neighborhoods to make their own decisions about the best allocation of scarce government resources. We want to address critical quality of life issues in some neighborhoods before there is a complete deterioration of stability. Earlier this year, we talked to nearly 100 neighborhood associations and held 14 public forums to find out what services the neighborhoods want us to provide. The 1993 budget reflects what was learned from those meetings.

Positive opportunities for youth: Too many of our children are growing up in neighborhoods in which their peers are engaged in self-destructive activities. Gangs. Drugs. Vandalism. We must turn this behavior around and inspire our kids to take pride in their neighborhoods. We ought to make "protecting your turf" a positive activity. Several programs, ranging from midnight basketball to youth mentoring to reward programs for preservation of our natural and environmental assets, will be funded as a result of the 1993 budget.

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Job creation: Indianapolis has received national attention for its attractive business climate. We must continue to create an environment that is conducive to job growth by helping existing businesses grow; nurturing small businesses, start-up businesses, and minority-owned businesses; and attracting new businesses that can bring jobs and investment to our community.

SAVINGS

Our initial efforts to provide the best possible services for the people of Indianapolis at the lowest possible cost have produced several victories for taxpayers. A handful of some of the most noteworthy examples of savings is listed below.

Real 1992 savings (samples)

◦ Canceling a Central Equipment Maintenance Division land purchase	\$212,579.00
◦ Privatizing the city's microfilm division	\$75,000.00
◦ Canceling construction of an IPD horse barn	\$243,815.00
◦ Sale and reduction of city take-home cars	\$200,000.00
◦ Downsizing the CEMD garage	\$509,000.00
◦ Contracting coin collection for parking meters	\$50,000.00
◦ Contracting drainage work	\$16,000.00

Projected 1993 savings (samples)

◦ Privatizing the city's microfilm division	\$325,000.00
◦ Sale and reduction of city take-home cars	\$250,000.00
◦ Privatizing sewer user billing	\$1,000,000.00
◦ Consolidation of public service dispatch	\$205,650.00
◦ Better usage of city equipment through VENUS program	\$1,500,000.00

Taken individually, any one of these items is a successful project. Taken as a whole, they represent the first stages of a comprehensive rethinking of the role of government. This small sample includes savings earned through privatization (microfilm, sewer user billing); through consolidation of duplicated city services (public service dispatch); through the elimination of non-vital spending (the horse barn); and through better asset management (VENUS). These examples are significant, but they are still only the beginning. SELTIC, the commission charged with a broad-based reexamination of the way Indianapolis government does business, currently has dozens of cost-saving transactions under development.

While we have confidence that the marketplace is the best suggestion box, and that introducing competition will provide many ideas for savings, we are acutely aware that many of the best ideas will come from city employees on the front lines of service delivery. That's why we've launched a program to solicit ideas from employees to reduce costs and improve service. In July, the first month of the Hot Ideas program, we received more than 100 ideas.

NUTS AND BOLTS

My real purpose tonight is to announce that our first efforts to turn fiscal principles into budgetary policy have met with success, and that as a result:

- Total operating expenditures have been reduced.
- The number of city employees has been reduced.
- Taxes have not been increased.

The 1993 budget is more frugal and 400 full-time employees smaller than the 1992 budget. And, while most of America's large cities are fighting for their economic survival, Indianapolis has held the line against tax increases. Our relatively low taxes will allow us to stay competitive in the hunt for new jobs in the regional, national, and even international arena.

Within the context of smaller government, our spending mix was changed to reflect a priority on public safety. The share of the city's budget spent on police and fire will be 31.1% in 1993.

While the population of our city has remained relatively stable in the last decade, the population of the City-County Building has not. Our government has grown 20% in the last decade. This budget begins the process of reversing that trend. It contains more than 400 fewer full-time employees than last year's budget. (see appendix one)

The Department of Administration is down from 224 budgeted positions to 171. The Department of Metropolitan Development is down from 434 budgeted positions to 332. The Department of Public Works

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Is down from 963 budgeted positions to 870. The Department of Transportation is down from 453 budgeted positions to 408. And the Department of Parks and Recreation is down from 340 budgeted positions to 312. (see appendix two)

Nevertheless, I recognize that this budget is a long way from perfect, especially in two important ways:

First, in each of the last several years, the city has adopted budgets that were substantially larger than anticipated revenues – the 1992 budget, for example, included a nearly \$20 million difference between appropriations and projected revenues. (see appendix three)

	Budgeted <u>Appropriations</u>	Projected <u>Revenues</u>	<u>\$ Difference</u>	<u>% Difference</u>
1990	\$447,719,050	\$438,656,000	\$9,063,000	2.0%
1991	\$456,725,029	\$442,501,875	\$14,224,000	3.1%
1992	\$481,312,963	\$461,768,626	\$19,544,000	4.1%
1993	\$472,810,885	\$469,836,248	\$2,974,000	0.6%

One of my goals for this year was to begin with a balanced budget, so as to preserve our relatively small cash surplus in order to offset several known future costs, such as those associated with United Airlines, Fort Ben, and our pressing infrastructure needs. We have closed the gap considerably – by nearly \$18 million. (see appendix four) Projected revenue now covers approximately 99.4% of our appropriations, for a budget deficit of 0.6%.

However, our budget is conservative in that it only considers savings that we have confidently identified through today, August 3rd. Our efforts to find better and less costly methods of service provision continue full speed, and I anticipate that by the end of the year enough savings will have been identified to close the remaining budget gap. In many cases, we have not included projected savings from initiatives that require approval by the City Council before they can be implemented. I am confident that by working together we can achieve these additional savings and honestly present to the taxpayers a balanced budget by the end of the year.

The second problem with this budget is that to some extent we continue to focus on the wrong measures in the budget process. The questions should not be how much a budget increases or decreases but rather how much value we add to the quality of life through an investment of tax dollars. Said another way, we need to establish performance measurements for each function of government. To the extent that a given function exceeds expectations and its product is valuable, then a legitimate request for additional resources can be made. Those functions that are used to receiving annual appropriations, yet underperform each year, can expect the opposite. We will be launching a year-long effort to establish performance standards to measure output. These are complicated questions on which reasonable people can disagree, so we will be asking for council representatives to be actively involved in the process.

CONCLUSION

The significance of the budget I present tonight lies not so much in its numbers as in the change in philosophy it represents. This first budget marks only a beginning, though an important one nonetheless. We will soon be submitting our capital budget and a number of programs that will require their own special attention. In particular, we will be examining the city's pressing infrastructure needs and looking at possible mixes of revenue sources that might be available to meet them.

The tax Indianapolis residents pay to support city government is but a small fraction of the total tax burden they shoulder. It is my intention to keep it that way. Along the way, I hope that the other government entities with which our city's fiscal health is inextricably intertwined – schools, the county, the townships - will subscribe to the same principles and work with the council to keep taxes and spending low. In addition, I will be asking my representatives on the boards of all the separate municipal corporations to take a hard look at ways to keep spending down.

The old cliché about being only just beginning to fight seems an inspiring thought on which to close. I invite the City Council and all residents of our city to join us as we seek to make Indianapolis the first truly 21st century city.

Hon. John von Arx, Auditor, had the following remarks concerning the county budget:

Mr. President, Ladies and Gentlemen of the Council: I am here tonight to present to you the 1993 budgetary recommendations for all county agencies. I am pleased to report that through the dedication, cooperation, and efficiency of ALL county agencies, Marion County will be able to maintain the quality

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essential services to the community. This can be accomplished in spite of a stressful but necessary reduction in 1993 spending.

As you recall, a few short weeks ago I stood before you as this council passed fiscal ordinance No. 25, which reduced 1992 budgets by \$10.3 million. This goal was achieved by increasing revenues, a one-time restructuring of advanced rent payments and real reductions in '92 budgets. As a result of our recessionary economy, our revenues had declined and have continued to drop in 1992, agency spending had increased and our fund balances (or reserves) were being eaten up at a far faster rate than anticipated. What did the council and all of county government accomplish by this action? By tackling this problem aggressively and proactively, we were able to plan ahead and "spread" this issue out over two years rather than taking all of it in 1993. As a result, the '93 budget is able to restore 75% of reductions absorbed this year.

We are fortunate, comparatively speaking, to other jurisdictions who may not have had the foresight that all of us exercised, for example:

- In a survey by the National Association of Counties, w/80 of the top 100 largest counties responding; 78% reported they had reduced services and/or the number of employees due to lower-than-expected revenue. More than half of the counties indicated they will probably lay off employees this year. Many of the surveyed officials from the large counties indicated their fiscal 1993 budgets would be worse than fiscal 1992 because of lower property assessments, state aid cuts and the difficulty of cutting even more services.

The Auditor's office has been working diligently with the financial community and the bond rating agencies in New York to keep them well informed about the solutions to our problems. Our objective is to keep our solid financial standing when, as you've heard, many around us are losing theirs. According to the bond rating agencies, the true measure of the financial strength of a community is NOT how one responds when times are booming, but one's focus on the timing, direction, and the success of the action one takes in less prosperous times. This is opposed to the approach many communities may take by crossing their fingers hoping things will get better – NEXT YEAR!

As you know, the balancing of the needs and services provided to our citizens with acceptable levels of taxes and charges is the primary focus in governmental budgeting. The challenge for 1993, and for the balance of this century, will be to provide a continuing level of essential services with the undeniable reality of diminishing revenues in local government.

I believe we have accomplished these objectives in our 1993 budget through the use of:

- 1.) Creative financing measures, for example:
 - a. refinancing debt,
 - b. reallocating tax rates, and
 - c. the sale of county assets.
- 2.) Increasing and maximizing non-tax revenues, for example:
 - a. improved collections of delinquent receivables (such as unpaid traffic tickets & docket fees)
 - b. proposed increases in the various user fees
- 3.) Containing the growth rate in spending. In other words, some good old fashion belt tightening.

As a result, the County's 1993 General Fund budget is a funded budget of \$127,099,022 with revenues of \$127,845,179. Earlier this year, guidelines were established which focused upon accommodating expenditures for essential services within the available resources. County agencies prepared their budgets within the following guidelines:

- 2% decrease overall in agency budgets
- Personal services (Salaries & Fringes) not to exceed the 1992 budget
- No salary increase for elected officials

Exceptions to the guidelines:

- A further decrease in the Election Board & Voter Registration
- Increase in fringe benefits—specifically health insurance
- Set aside dollars for the future 27th pay day, AND
- The county picks up telephone services formerly budgeted with the City of Indianapolis.

If passed, this 1993 budget would allow us to realize the budget goals relayed to you in our fiscal recovery plan earlier this year:

- Revenues to exceed expenditures
- To begin to increase our General Fund balance
- To keep property taxes below the maximum amount allowed by law
- Holding the line on salary increases
- Maintaining the same overall tax rate

As always, the request for dollars by government agencies significantly exceeds the dollars available to fund all projects, and 1993 is no exception. Although the county has made some strides in funding various initiatives and priorities, there are additional requests that will be very difficult to achieve. There is no doubt that many of these services left unprovided will cause a fair amount of stress and strain on a number of county agencies. As these issues develop over the next few weeks of this budget process, we must focus upon the fact that with some services, we in County Government may fall below the "comfort zone" expectations of some of our taxpayers.

Agencies dealing with this dilemma will no doubt be facing the difficult decision that less critical services may have to be deferred or discontinued in order to accomplish their priority objectives.

These budgetary constraints may cause some stress upon our service delivery machine. However, it is always the very difficult task of the budgeting process to provide the critical services of local government while making the distinction between stress and distress.

One such issue that is truly causing county government and our taxpayers a great deal of distress is the funding deficits of the Indiana State Department of Public Welfare. In my budget speech in 1990, I had expressed my concerns to you on this issue by saying the following:

- We in County government have no control over these welfare costs. However, state law requires us to loan unlimited amounts of our money to these expensive state and township welfare programs.
- Although caring for those in need in our community is of vital importance to us all, this system of funding is unfair to the taxpayers of Marion County.
- I am able to tell you that we are able to sustain this burden presently but only as a result of our conservative fiscal policies through the utilization of our fund balance. However, based on their growth rate in spending, our belt-tightening efforts will not be sufficient for much longer.
- Until state government is willing to address this serious problem, we have no choice but to try to continue to bear this unfair burden.

It is now 2 years later, our fund balances have declined significantly, our belt tightening efforts have been evident--and yet they continue to run at enormous deficits. Over the past year, our office has been working with many agencies and levels of government to develop a more cost effective plan to present to the Indiana General Assembly to improve this situation.

As you recall, last year the Council was forced to pass an excess levy in order for State Welfare to meet its current year obligation in 1992. This was in addition to the debt service levy to pay back the \$9.7 million loan to keep State Welfare running in 1991. Theoretically this financial move was to have prevented State Welfare from a 1992 borrowing to cover this year's operating costs. Unfortunately, theory did not become reality. In spite of these financial measures taken by local government to solve this state run operation, the situation worsens. You may have heard that State Welfare needs to borrow again -- in 1992 -- apparently for more than in '91. If this is confirmed by State Welfare's appeal to the State Board of Public Welfare later this month, and the dollars needed cannot be significantly reduced, local government will once again be asked to take on more liability and financial responsibility, once again shifted onto our backs by state government. From a state versus a local finance perspective, the state has us right where they want us on this issue -- in the quick sand pit --where the more we struggle and fight to get ourselves back on firm ground --the quicker and deeper we sink.

In spite of this welfare issue, Indianapolis/Marion County still has much to be proud of with the fruits of our financial labor paying off. The City of Indianapolis and Marion has been able to keep our heads above water in the following ways:

- Positive growth trend in property values,
- Excellent history of tax collection,

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- Positive growth trend in our population base,
- Strong local economy - for example:
 1. Unemployment rate of 5.8% is below state and national averages,
 2. Marion County ranks 5th in the nation and 1st in the Midwest for employment growth in 1990,
 3. Our County's median household income of \$30,703 is well above national average, AND
 4. Diversified Economic Base and on-going economic development by the city.
- We levy less property taxes than we are allowed by law, AND
- We have been able to maintain our AAA bond rating.

In closing, I believe that this proposed budget presents the Council with the opportunity to address this recessionary economy head on and in a fiscally prudent manner, while at the same time, fund much needed services that meet the needs of the community and protect the citizens of Marion County.

I thank you for your attention, and submit this budget for your review.

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, August 3, 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 20, 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 23, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 315, 319, 320, 321, 322, 323, 325 and 329, 1992, to be held on Monday, August 3, 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:

FISCAL ORDINANCE NO. 38, 1992, 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.

FISCAL ORDINANCE NO. 39, 1992, 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.

FISCAL ORDINANCE NO. 40, 1992, 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.

FISCAL ORDINANCE NO. 41, 1992, 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.

FISCAL ORDINANCE NO. 42, 1992, 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.

FISCAL ORDINANCE NO. 43, 1992, 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) 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.

GENERAL ORDINANCE NO. 41, 1992, amending the Enforcement and Remedies Ordinance of Marion County.

SPECIAL RESOLUTION NO. 54, 1992, approving an amendment to the Marion County Jail Lease and an amendment to the Marion County Juvenile Detention Center Lease.

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 July 20, 1992. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

The President introduced Steve Johnes, president of the Marion County Alliance of Neighborhood Associations, Inc. (McAna). The President stated that during the May 11, 1992 Council hearing on the Kessler Avenue/Methodist Hospital rezoning petition Mr. Johnes submitted a document with the names of twenty-one neighborhood organizations authorizing Mr. Johnes to represent them in opposing the zoning change. Some of the Councillors questioned the authenticity of the document and the Council asked him to

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submit proof of authenticity. Mr. Johnes said that he has submitted written confirmation from officers of twenty of the organizations that appeared on the May 11th document to the Clerk of the Council. He said that neither he nor McAna would deliberately present inaccurate or false information to this Council.

Councillor Boyd asked the President to convene the Committee of Whole into session before the end of the Council meeting in order to discuss the problem of quorums at Committee meetings. The President said he would do that under New Business.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 358, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the lease of space for the Sheriff's Department located at 3229 North Shadeland"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 359, 1992. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$62,300 for the Cooperative Extension Service to move agents' salaries from Personal Services to Other Services and Charges"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 360, 1992. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$64,675 for the County Recorder to cover monthly payments for document imaging computer equipment"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 361, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Flood Control Districts Zoning Ordinance"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 362, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Charles R. Cagann to the Indianapolis Public Transportation Corporation Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 363, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$130,000 for the Department of Parks and Recreation, Administration Division, to hire a consultant to develop a strategic plan for the City's parks, funded by a Lilly Endowment grant"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 364, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing William S. Gardner to the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 365, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the sale of

certain real estate of the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 366, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving a Board of Public Works resolution regarding the write-off of certain sewer service accounts of \$25 or less"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 367, 1992. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE electing to fund MECA in 1993 with COIT revenues"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 368, 1992. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Saddlebrook subdivision (District 9)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 369, 1992. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls within the Wanamaker Village subdivision (District 23)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 370, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls and parking restrictions in the Castleton area (District 4)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 371, 1992. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at various locations (District 12)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 372, 1992. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Bradbury Street and Bradbury connector road (4250 west) and Airport Expressway and Bradbury connector road (4250 west) (District 17)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 373, 1992. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Rural Street and 35th Street (District 11)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 374, 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 Payne Road between 79th Street and 86th Street (Districts 1 and 2)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 375, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by

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authorizing a weight limit restriction on Fall Creek Road between Kessler Boulevard and Shadeland Avenue; and authorizing the deletion of a weight limit restriction on 56th Street between Emerson Avenue and I-465 (District 4)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 376, 1992. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on Bradbury Street from Bradbury connector road (4250 west) to Holt Road (District 17)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 377, 1992. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing an 11,000 pounds weight limit restriction on Delaware Street between 91st Street and 96th Street (District 3)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 378, 1992. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a weight limit restriction on Chester Avenue, Denny Street and Forest Manor Avenue between 26th Street to 30th Street (District 10)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 379, 1992. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing an 11,000 weight limit restriction on Oxford Street between 34th Street and 38th Street, and Rural Street between 34th Street and 38th Street (District 11)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 380, 1992. Introduced by Councillor Moriarty. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions on the west side of Ritter Avenue from 13th Street to 137 feet south of 13th Street (District 15)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 381, 1992. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the parking restrictions on a segment of Layman Avenue (District 12)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 382, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION reappointing Robert S. Daly, M.D. to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 383, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing David W. Hoppock to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 384, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL

ORDINANCE for the annual budget for the Police Special Service District for 1993"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 385, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE for the annual budget for the Fire Special Service District for 1993"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 386, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE for the annual budget for the Solid Waste Collection Special Service District for 1993"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 387, 1992. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE for the annual budget for the Marion County Department of Public Welfare for 1993"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 388, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE for the annual budget for Indianapolis and Marion County for 1993"; and the President referred it to various committees.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Rhodes stated that he was not present when Proposal Nos. 315 and 316, 1992 were heard in Committee and has asked Councillor Curry to give the Committee report on those two proposals.

PROPOSAL NO. 315, 1992. Councillor Curry reported that the Administration and Finance Committee heard Proposal No. 315, 1992 on August 3, 1992. The proposal transfers and appropriates \$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. 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 8:08 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Giffin, for adoption. Proposal No. 315, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 315, 1992 was retitled FISCAL ORDINANCE NO. 44, 1992 and reads as follows:

August 3, 1992

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional One Million One Hundred Sixty-eight Thousand Eight Hundred Fifty-five Dollars (\$1,168,855) in the Manpower Federal Programs Fund for purposes of the Department of Administration, Occupational and Community Services Division, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Administration, Occupational and Community Services Division, to provide summer employment opportunities for youth through utilization of grants from the State of Indiana.

SECTION 2. The sum of One Million One Hundred Sixty-eight Thousand Eight Hundred Fifty-five Dollars (\$1,168,855) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF ADMINISTRATION, OCCUPATIONAL AND COMMUNITY SERVICES DIVISION</u>	<u>MANPOWER FEDERAL PROGRAMS FUND</u>
1. Personal Services	<u>\$1,168,855</u>
TOTAL INCREASE	\$1,168,855

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

<u>DEPARTMENT OF ADMINISTRATION, OCCUPATIONAL AND COMMUNITY SERVICES DIVISION</u>	<u>MANPOWER FEDERAL PROGRAMS FUND</u>
3. Other Services and Charges	\$ 73,060
Unappropriated and Unencumbered Manpower Federal Programs Fund	<u>1,095,795</u>
TOTAL REDUCTION	\$1,168,855

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

PROPOSAL NOS. 319 and 320, 1992. PROPOSAL NO. 319, 1992. The proposal appropriates \$250,000 for the Department of Metropolitan Development, Planning Division, to cover organizational costs to improve the efficiency of the transportation system. PROPOSAL NO. 320, 1992. The proposal appropriates \$130,694 for the Department of Metropolitan Development, Planning Division, to support a Ft. Harrison planning team. Councillor Borst asked for consent to postpone Proposal Nos. 319 and 320, 1992 until August 24, 1992. Consent was given.

PROPOSAL NO. 321, 1992. Councillor O'Dell reported that the Parks and Recreation Committee heard Proposal No. 321, 1992 on July 30, 1992. The proposal appropriates \$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. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Howard, for adoption. Proposal No. 321, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 321, 1992 was retitled FISCAL ORDINANCE NO. 45, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 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 Dollars (\$25,000) 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 to appropriate grant funding to provide children with both recreation and educational enrichment.

SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) 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>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	<u>\$25,000</u>
TOTAL INCREASE	\$25,000

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	<u>\$25,000</u>
TOTAL REDUCTION	\$25,000

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

PROPOSAL NO. 322, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 322, 1992 on July 22, 1992. The proposal, sponsored by Councillor Moriarty, appropriates \$500 for the Presiding Judge of the Municipal Court to assist with the GED/Adult Basic Education program, funded by Indiana National Bank. 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 8:11 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty, for adoption. Proposal No. 322, 1992 was adopted on the following roll call vote; viz:

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

August 3, 1992

Proposal No. 322, 1992 was retitled FISCAL ORDINANCE NO. 46, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Five Hundred Dollars (\$500) in the County Grants Fund for purposes of the Presiding Judge of the Municipal Court 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 (cc) 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 appropriate funds donated by Indiana National Bank to assist in the Probation Department's GED/Adult Basic Education program for probationers.

SECTION 2. The sum of Five Hundred Dollars (\$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>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	<u>COUNTY GRANTS FUND</u>
2. Supplies	<u>\$500</u>
TOTAL INCREASE	\$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>\$500</u>
TOTAL REDUCTION	\$500

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

PROPOSAL NO. 323, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 323, 1992 on July 22, 1992. The proposal, sponsored by Councillor Franklin, appropriates \$51,000 for the Superior Court, Juvenile Division/ Detention Center, to continue the Guardian Ad Litem Program, funded by a state grant. By a 9-0 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 8:12 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 323, 1992, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: *Howard, Short, Smith, Williams*

Proposal No. 323, 1992, as amended, was retitled FISCAL ORDINANCE NO. 47, 1992 and reads as follows:

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CITY-COUNTY FISCAL ORDINANCE NO. 47, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Fifty-one Thousand Dollars (\$51,000) in the Guardian Ad Litem Fund for purposes of the Superior Court, Juvenile Division/Detention Center, and reducing the unappropriated and unencumbered balance in the Guardian Ad Litem 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 (kk) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center, to appropriate State funds for Guardian Ad Litem.

SECTION 2. The sum of Fifty-one Thousand Dollars (\$51,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>GUARDIAN AD LITEM FUND</u>
1. Personal Services	<u>\$51,000</u>
TOTAL INCREASE	\$51,000

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

	<u>GUARDIAN AD LITEM FUND</u>
Unappropriated and Unencumbered	
Guardian Ad Litem Fund	<u>\$51,000</u>
TOTAL REDUCTION	\$51,000

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

PROPOSAL NO. 325, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 325, 1992 on July 22, 1992. The proposal appropriates \$72,587 for the Community Corrections Agency to provide additional security at the Marion County Community Corrections Center. 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 8:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 325, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 325, 1992 was retitled FISCAL ORDINANCE NO. 48, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Seventy-two Thousand Five Hundred Eighty-seven Dollars (\$72,587) in the County Corrections Fund for purposes of the Marion County Community Corrections Center and reducing the unappropriated and unencumbered balance in the County Corrections Fund.

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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 providing additional security staff to monitor non-violent offenders in the Marion County Community Corrections Center.

SECTION 2. The sum of Seventy-two Thousand Five Hundred Eighty-seven Dollars (\$72,587) 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>COMMUNITY CORRECTIONS AGENCY</u>	<u>COUNTY CORRECTIONS FUND</u>
3. Other Services and Charges	<u>\$72,587</u>
TOTAL INCREASE	\$72,587

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

	<u>COUNTY CORRECTIONS FUND</u>
Unappropriated and Unencumbered	
County Corrections Fund	<u>\$72,587</u>
TOTAL REDUCTION	\$72,587

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

PROPOSAL NO. 329, 1992. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 329, 1992 on July 30, 1992. The proposal appropriates \$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. 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 8:18 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor McClamroch, for adoption. Proposal No. 329, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 329, 1992 was retitled FISCAL ORDINANCE NO. 49, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional One Million Two Hundred Fifty-four Thousand Two Hundred Fifty Dollars (\$1,254,250) in the Sanitation General Fund for purposes of the Department of Public Works, Advanced Wastewater Treatment Division, and reducing the unappropriated and unencumbered balance in the Sanitation 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 Public Works, Advanced Wastewater Treatment Division, to perform a study of the City's combined sewer overflow system.

SECTION 2. The sum of One Million Two Hundred Fifty-four Thousand Two Hundred Fifty Dollars (\$1,254,250) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC WORKS	
<u>ADVANCED WASTEWATER TREATMENT DIVISION</u>	
3. Other Services and Charges	<u>\$1,254,250</u>
TOTAL INCREASE	\$1,254,250

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

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Sanitation General Fund	<u>\$1,254,250</u>
TOTAL REDUCTION	\$1,254,250

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. 279, 1992. Councillor Giffin reported that the Economic Development Committee heard Proposal No. 279, 1992 on June 3, 1992. The proposal authorizes the amendment of previously executed bond documents relating to \$1,000,000 City of Indianapolis, Indiana Economic Development Revenue Bonds (Mid State Chemical & Supply Corp. Project) dated as of July 26, 1988. There was a delay in bringing this before the Council for a vote because some Councillors had questions concerning Mid State's participation in community affairs and employment practices. These questions have since been answered to the Councillors' satisfaction. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Giffin moved, seconded by Councillor Franklin, for adoption. Proposal No. 279, 1992 was adopted on the following roll call vote; viz:

28 YEAS: *Beadling, Black, Borst, 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*

0 NAYS:

1 NOT VOTING: *Boyd*

Proposal No. 279, 1992 was retitled SPECIAL ORDINANCE NO. 8, 1992 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 8, 1992

A SPECIAL ORDINANCE approving the execution of document amendments relating to the previously-issued City of Indianapolis Economic Development Revenue Bond (Mid State Chemical & Supply Corp. Project), dated as of May 1, 1988 and approving and authorizing other actions in respect thereto.

WHEREAS, Merchants National Bank & Trust Company of Indianapolis, as Bondholder (the "Bondholder") and the City of Indianapolis, Indiana (the "Issuer") entered into a Bond Purchase Agreement dated as of May 1, 1988 (the "Bond Purchase Agreement"), pursuant to which the Issuer issued and sold \$1,000,000 in principal amount of a revenue bond designated "Economic Development Revenue Bond (Mid State Chemical & Supply Corp. Project)" (the "Bond"); and

August 3, 1992

WHEREAS, the Mid State Chemical & Supply Corp., a corporation duly organized and existing under the laws of the State of Indiana (the "Company") and the Bondholder have agreed to revise the time when the Tax Exempt Rate (as defined in the Bond Purchase Agreement) will be adjusted pursuant to the rate adjustment formula set forth in Section 202 of the Bond Purchase Agreement and have further agreed to simultaneously amend the optional redemption provisions in Section 501(a) of the Bond Purchase Agreement; and

WHEREAS, Section 801 of the Bond Purchase Agreement permits supplements thereto with the consent of the Issuer, the Bondholder and the Company; and

WHEREAS, the Issuer and the Company entered into a Loan Agreement, Mortgage, Security Agreement and Financing Statement dated as of May 1, 1988 (the "Loan Agreement"), pursuant to which the Issuer lent the Company the proceeds of the Bonds; and

WHEREAS, the revision to the time when the Tax Exempt Rate will be adjusted necessitates a change in the optional prepayment schedule set forth in the Loan Agreement and the Issuer and the Company desire to amend the Loan Agreement in order to amend Section 5.1(a) thereof; and

WHEREAS, the Company and the Bondholder have agreed to revise certain financial covenants set forth in Section 3.31 of the Loan Agreement, and the Issuer and the Company desire to amend the Loan Agreement in order to amend Section 3.31 thereof; and

WHEREAS, Section 8.1 of the Loan Agreement permits supplements and amendments thereto with the consent of the Issuer, the Company and the Bondholder; and

WHEREAS, the Company and the Bondholder are willing to consent to the amendment to the Loan Agreement and Bond Purchase Agreement and have requested that the Issuer also consent;

WHEREAS, the Indianapolis Economic Development Commission on June 3, 1992 adopted a Resolution, which Resolution has been previously transmitted hereto finding that the execution of the (i) First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement; and (ii) First Supplemental and Amendatory Bond Purchase Agreement in the form presented at that meeting complies with the purposes and provisions of Indiana Code 36-7-11.9 and Indiana Code 36-7-12 (collectively the "Act") and that such execution will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the form of the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; NOW, THEREFORE:

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

SECTION 1. It is hereby found that the execution of the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement is of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement approved by the Indianapolis Economic Development Commission are each hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City-Controller. Two (2) copies of the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement approved herein and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed, on behalf of the City of Indianapolis. The Mayor and City Clerk may by their execution of the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement approve changes therein and also in any documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(10).

Section 4. The provisions of this ordinance and the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the parties to the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement, and after the execution of the First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such party so long as said First Supplemental and Amendatory Loan Agreement, Mortgage, Security Agreement and Financing Statement and the First Supplemental and Amendatory Bond Purchase Agreement shall remain in effect.

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

PROPOSAL NO. 282, 1992. Councillor Borst reported that the Metropolitan Development Committee heard Proposal No. 282, 1992 on June 30, July 8 and July 14, 1992. The proposal concerns the reorganization of the Department of Metropolitan Development (DMD). He said that DMD, as reorganized, will be composed of the following divisions: Neighborhood and Development Service Division, Planning Division, Public Housing Division, and Financial Services Division. In the Neighborhood and Development Service Division township leaders have been named for each of the nine townships. The Division of Development Services and the Division of Economic Housing Development have been eliminated but their functions have been encompassed into the Neighborhood and Development Services Division. The Indianapolis Historic Preservation Commission is still part of DMD.

Councillor Borst said that the new Office of Youth and Family Services will report to Deputy Mayor Nancy Silvers. He moved to amend Proposal No. 282, 1992 by renumbering Sections 4, 5 and 6 as Section 5, 6 and 7 respectively and inserting a new Section 4 as follows:

SECTION 4. The "Revised Code of the Consolidated City and County," is hereby amended to add a new Article IV in Chapter 202 as follows:

ARTICLE IV. OFFICE OF YOUTH AND FAMILY SERVICES

Sec. 202-301. There is hereby established as part of the mayor's office an office of youth and family services.

Sec. 202-302. Director. The director of the office of youth and family services shall be appointed by and serve at the pleasure of the mayor. The director shall be responsible to the deputy mayor for neighborhoods for the functions of the office.

Sec. 202-303. Duties of director. The director shall:

- (1) Supervise and coordinate the activities of the office;
- (2) Oversee the daily operations of the office;
- (3) Prepare and submit the office's budget to the controller;
- (4) Approve the hiring and dismissal of the personnel of the office subject to the limitations prescribed by law and rules adopted by the mayor;
- (5) Manage the personnel of the office;
- (6) Delegate to the personnel of the office authority to act on the director's behalf;
- (7) Execute contracts subject to the authority of the city-county administrative board, the mayor and any other limitations prescribed by law; and
- (8) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

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Sec. 202-304. Powers of office of youth and family services. The office of youth and family services shall:

- (1) Administer and, subject to the approval of the director, contract for the administration of federal, state and locally funded programs including, but not limited to:
 - a. Employment and training programs
 - b. Programs for youth
 - c. Neighborhood health programs
 - d. Programs for senior citizens
 - e. Neighborhood centers
 - f. Homeless shelters
 - g. Other appropriate social service programs
- (2) Exercise any other powers and duties which may be granted by statute or ordinance or delegated by the mayor.

This motion was seconded by Councillor Coughenour and passed by a unanimous voice vote.

Councillor Borst said that he is not sure how DMD will implement its goals, but DMD and Deputy Mayor Nancy Silvers will report back to the Metropolitan Development Committee in three months with a progress report. Councillor Borst said that on July 14, 1992 by a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Borst moved, seconded by Councillor McClamroch, for adoption.

Councillor Beadling suggested tabling this proposal to a later date until the Committee determines if this reorganization is going to work. Councillor Borst said that the budget is predicated on this reorganization and so is the Neighborhood and Development Services Division. He asked Deputy Mayor Silvers for her input.

Ms. Silvers stated that she understands that people are unsure and concerned because things are going to be done in a different way. This reorganization will create a "one stop shopping center" so that when people come into the City-County Building for permits they will come in one time and will get everything they need. She said that she believes it is a good approach and that it will work. She urged the Council to pass this proposal.

Councillor Borst stated that one item that swayed his vote in support of this reorganization is the Township Team approach and that the current Township Leaders are people that the Council has dealt with for years and, in his opinion, if anyone can make this work these nine people can.

Councillor Rhodes moved to postpone Proposal No. 282, 1992 for three months to see what the budgetary impact will be. He said that he also wants to see how neighborhoods are going to be protected. In the past, in his opinion, neighborhoods have been neglected and residents have not been notified properly by DMD of pending commercial zonings in their neighborhoods. He also believes that DMD has been an advocate for commercial development. This motion was seconded by Councillor Black.

Councillor Williams stated that because the DMD staff does not have permanent assignments she believes the level of service is suffering as a result of the Council's delay on this proposal. Since this is the design and organization that this administration is committed to it is her opinion that the Council should let the administration go with it and in three months the Council can evaluate it. She supports this proposal.

Councillor Gilmer voiced his support for Councillor Rhodes' motion.

Councillor Rhodes' motion failed by the following vote:

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

Proposal No. 282, 1992, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 282, 1992, as amended, was retitled GENERAL ORDINANCE NO. 42, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 42, 1992

A GENERAL ORDINANCE recodifying and amending Division 4, Article V, Chapter 2, and Article III, Chapter 24, of the Code of Indianapolis and Marion County and adopting a new Chapter 231 concerning the Department of Metropolitan Development.

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

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a NEW Chapter 231 (which is a revision and recodification of Division 4 of Article V of Chapter 2 and sec. 24-45 through 24-49 of the Code of Indianapolis and Marion County that deletes the stricken-through text and inserts the underlined text) as follows:

CHAPTER 231 - DEPARTMENT OF METROPOLITAN DEVELOPMENT

ARTICLE I. DEPARTMENT ESTABLISHED

Sec. ~~2-226~~ 231-1. ~~Department created~~ Established.

There is hereby ~~created~~ established a department of metropolitan development for the consolidated city pursuant to IC 36-3-5-4 subject to IC 26-3-4-23.

Sec. ~~2-227~~ 231-11. ~~Director; duties.~~

~~(a) The chief administrative officer~~ director of the department of metropolitan development ~~is a director. The director is shall be~~ appointed by the mayor, with subject to the approval of the city-county council as required by IC 36-3-5-2, for a term of one year and serves until his successor is appointed and qualified. The director to serve at the pleasure of the mayor for a term ending December 31 of the year the appointment is effective and until a successor is appointed and qualifies. The mayor may appoint a deputy mayor to serve as the director of the department of metropolitan development by virtue of the deputy mayor's office.

Sec. 231-12. ~~(b)~~ Duties.

The director of the department of metropolitan development shall: ~~have the following powers and duties:~~

- (1) ~~To~~ Prepare and submit a budget as required by IC 36-3-6-4(b)(1);
- (2) ~~To~~ Establish operational procedures;
- (3) ~~To~~ Approve the hiring and dismissal of personnel subject to limitations prescribed by law and rules adopted by the mayor;
- (4) ~~To~~ Delegate to personnel of the department authority to act on ~~his~~ the director's behalf;

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- (5) ~~To~~ Assign tasks to employees of the department and supervise the carrying out of those responsibilities;
 - (6) ~~To~~ Act as a hearing authority relative to unsafe buildings, or appoint a person to act as a hearing authority, as provided in IC 36-7-9;
 - (7) ~~To~~ Approve and execute legal instruments subject to limitations prescribed by law;
 - (8) ~~To~~ Approve or disapprove disbursement of funds subject to limitations prescribed by law;
 - (9) ~~To~~ Receive pertinent information, engage in departmental planning and establish policies and goals for the department subject to limitations prescribed by law, direction provided by the mayor, and policies and goals properly established by the metropolitan development commission;
 - (10) ~~To~~ Coordinate the activities of divisions within the department;
 - (11) ~~To~~ Assign to a division in the department any power or duty which the law specifies is to be exercised by the division of planning and zoning of the metropolitan planning department, in instances where this Code does not indicate a responsible division or agency;
 - (12) ~~To~~ Appoint an administrator to ~~serve as the head of~~ manage each division of the department, subject to the approval of the mayor, ~~except the office of the director, which shall not have an administrator. Each administrator serves at the pleasure of the mayor.~~
- ~~(c) In addition, the director shall have the following powers and duties:~~
- (13) ~~To~~ Provide advice and assistance to the historic preservation commission, as established by IC 36-7-11.1, and the administrator of its staff in coordinating the programs and policies of the department with historic preservation programs and policies, to review the work program of the commission as provided by IC 36-7-11.1-4 and to provide advice in the appointment of the administrator as provided in IC 36-7-11.1-4;
 - (14) ~~To~~ Report to the city-county council annually, or more frequently as the council may direct, on the operations of the ~~division of~~ public housing division with respect to public housing in Indianapolis and Marion County;
 - (15) Designate and authorize the receipt and distribution of all funds received by the city pursuant to an act of the United States Congress entitled the Housing and Community Development Act of 1974, as amended. The granting of this power shall not limit the power of the mayor to execute agreements with the United States Government to receive those funds; and
 - (16) ~~The director shall also have all other powers and duties. Any other responsibilities conferred granted by law~~ statute or ordinance or assigned delegated by the mayor.

Sec. ~~2-228~~ 231-13. Divisions; ~~duties~~ established.

The department of metropolitan development shall be composed of the following divisions:

- (1) Neighborhood and development service division.
- (2) Planning division.
- (3) Public housing division.
- (4) Financial Services Division

Sec. ~~2-229~~ 231-21. Metropolitan development commission.

(a) The metropolitan development commission is established in the department of metropolitan development as authorized by IC 36-7-4-202.

- (b) The metropolitan development commission shall have the following powers and duties:
- (1) Approve the award and amendment of all contracts for lease or purchase of capital equipment;
 - (2) Approve the employment of all persons engaged by contract to render professional or consulting services;

- (3) Approve all acquisition of interest in real estate;
 - (4) Approve all contracts for public work as defined in IC 36-1-12;
 - (5) Powers and duties granted to the metropolitan development commission by IC 36-7-4;
 - (6) Powers and duties granted to the metropolitan development commission by IC 36-7-15.1;
 - (7) Approve the location of and general development plans for real estate proposed to be acquired by the ~~division of public housing division~~ for the purpose of providing public housing, as a condition of its acquisition by the division; and
 - (8) All other powers and duties granted by statute or ordinance.
- (c) Notwithstanding what is stated above in subsection (b), the metropolitan development commission is not:
- (1) Authorized to approve the receipt or distribution of community development grant funds ~~by the office of the director.~~
 - (2) Required to approve or execute the award or amendment of any contract let by the department for public works or for the lease or purchase of capital equipment when the contract is not required to be bid under state law.

ARTICLE III. DIVISIONS

Sec. 231-101. (a) ~~Division of Neighborhood and development services division economic and housing development.~~

(1a) The ~~division of neighborhood and development services division economic and housing development~~ shall be is responsible for ~~economic development and housing development and for processing requests for permission to develop real estate based on compliance with zoning, buildings and other standards and for the enforcement of laws and ordinances which regulate the development, maintenance and use of real estate.~~

(2b) Powers and duties of ~~this~~ the division include:

a(1) Powers and duties conferred on the department of metropolitan development by IC 36-7-15.1; ~~and~~

b(2) Powers and duties granted to the ~~division of economic and housing development neighborhood and development services division~~ under Article III of Chapter 24 of the Code of Indianapolis and Marion County, Indiana sec. 231-111 through sec. 231-115 of this Code.

~~(3) This division shall also have other powers and duties conferred by law or assigned by the mayor.~~

~~(b) Division of development services.~~

~~(1) The division of development services shall be responsible for processing requests for permission to develop real estate based on compliance with zoning, building and other standards and for the enforcement of laws and ordinances which regulate the development, maintenance and use of real estate.~~

~~(2) Powers and duties of this division include:~~

~~a(3) Powers and duties conferred on the enforcement authority by IC 36-7-9;~~

~~b(4) Powers and duties conferred on the implementing agency under IC 36-7-4 (including actions which are the responsibility of the planning department, the division of planning and zoning and the staff), except for technical activities supporting preparation of the comprehensive plan described in the 500 series);~~

~~c(5) Powers and duties which the division of code enforcement is authorized or required to carry out under this Code and the Code of Indianapolis and Marion County, Indiana, including but not limited to powers and duties found in Chapters 14 and 17;~~

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- ~~d~~(6) Powers and duties which the division of buildings is authorized or required to carry out under this Code and the Code of Indianapolis and Marion County, Indiana, including but not limited to powers and duties found in Chapters 8, 10 1/2, 19 and 27;
- ~~e~~(7) License persons and business organizations engaged in construction activity, issue building permits, make building inspections and take other appropriate actions for the purpose of securing safe construction and assuring proper maintenance of existing structures;
- ~~f~~(8) Enforce building regulations established by the ~~administrative building council~~ Fire Prevention and Building Safety Commission of the State of Indiana;
- ~~g~~(9) Initiate a review of the issuance of a certificate of appropriateness in accordance with IC 36-7-11.1-9(f);
- ~~h~~(10) Powers and duties conferred on the metropolitan planning department under section 7-2 of the Code of Indianapolis and Marion County, Indiana;
- ~~i~~(11) Enforce provisions of state law or city ordinance relating to the development, condition, maintenance or use of real estate, as required by ordinance or assigned by the mayor; ~~and~~
- ~~j~~(12) Receive or process applications or documents for other departments, divisions or agencies of local government relative to the development or use of real estate when an agreement for such service is made; ~~and~~
- ~~3~~(13) ~~The division shall also have~~ Any other powers and duties ~~conferred granted~~ granted by ~~law statute or ordinance~~ assigned delegated by the mayor.

Sec. ~~24-45~~ 231-111. Urban homesteading program ~~is~~ established.

An urban homesteading program for the consolidated City of Indianapolis is hereby authorized and established, ~~to become effective immediately upon~~ subject to the approval of such program by the mayor and director of the department of metropolitan development.

Sec. ~~24-46~~ 231-112. Preparation and administration.

The ~~division of economic and housing development~~ neighborhood and development services division of the department of metropolitan development shall prepare such urban homesteading program and is hereby designated by council pursuant to IC 36-7-17 to administer such urban homesteading program.

Section ~~24-47~~ 231-113. Authority to prescribe regulations for administration.

The ~~division of economic and housing development~~ neighborhood and development services division of the department of metropolitan development shall prescribe rules and regulations, as provided in I.C. 36-7-17 for administering ~~such~~ the urban homesteading program.

Sec. ~~24-48~~ 231-114. Conformity with community development program and metropolitan comprehensive plan.

The Urban Homesteading Program of Indianapolis shall be an integral component of and in conformity with the annual community development program operated by the City of Indianapolis under the Housing and Community Development Act of 1974. The urban homesteading program, and all administration and implementation thereof, shall be in accordance with the procedures, requirements and criteria of IC 36-7-17 and shall be in conformity with the official metropolitan comprehensive plan adopted by the metropolitan development commission pursuant to I.C. 36-7-4. The administration and implementation of the urban homesteading program shall not be subject to the provisions of IC 36-7-15.1.

Sec. ~~24-49~~ 231-115. Cooperation and participation of other city departments.

The various departments of the city shall, appropriately within their respective jurisdictions, powers and duties, cooperate and participate as necessary in the administration of such urban homesteading program and shall further its implementation.

Sec. ~~231-201~~. ~~(c)~~ Division of Planning Division.

(1a) The ~~division of~~ planning division is responsible for economic development and for planning activities throughout Marion County that will secure orderly growth, encourage effective use of municipal facilities and resources and provide a desirable quality of life for its citizens.

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- (2b) Powers and duties of the division include:
- a(1) Accomplish land use and housing planning, economic and fiscal planning (including the preparation of a capital expenditure program), transportation planning, environment and energy planning, and urban design and planning for projects, neighborhoods and open space and leisure systems;
 - b(2) Accomplish technical work in support of preparation of a comprehensive plan described in the 500 series of IC 36-7-4; ~~and~~
 - c(3) Accomplish technical work in support of preparation of a thoroughfare plan as described in IC 36-9-6.1-3, 4, 7 and 8; 36-7-4-406 and IC 36-7-5-3 and 6. ~~and~~
 - (34) ~~The division shall also have~~ Any other powers and duties conferred granted by law statute or ordinance or assigned delegated by the mayor.

Sec. 231-301. (d) Division of Public housing division.

~~(1a) The division of public housing division shall have the responsibilities, duty and authority to provide safe, sanitary and affordable dwelling accommodations for qualified persons of low and moderate income. (2) Powers and duties of the division include is responsible for the management, operation, maintenance and administration of public housing and public housing projects, and the provision of safe, sanitary and affordable dwelling accommodations for qualified persons of low and moderate income.~~

(b) Powers and duties of the division include:

~~(3) The division shall have the following additional duties and responsibilities:~~

- a(1) To acquire, lease, and operate housing projects;
- b(2) To provide for the construction, reconstruction, improvement, alteration, or repair of all or any part of a housing project;
- c(3) To acquire, lease, or rent any land, buildings, structures or facilities included in, or associated with, a housing project;
- d(4) To acquire any interest in real or personal property in any manner, including the power granted under IC 36-1-4-5;
- e(5) To dispose of any interest in real or personal property;
- f(6) To provide for the insurance of the property or the operations of the division against risk or hazard;
- g(7) To obtain from the federal government insurance or guarantees for the payment of any debts secured by mortgages on property included in a housing project, regardless of whether those debts were incurred by the division;
- h(8) To receive approval from the metropolitan development commission prior to the acquisition by the division of any real property, of both the proposed location and the general development plans;
- i(9) The division may also provide housing for persons engaged in national defense activities or for victims of a major disaster; ~~and~~
- j(10) ~~The division shall also have all~~ Any other powers and duties conferred granted by law statute or ordinance or assigned delegated by the mayor.

Sec. ~~2-232~~ 231-311. Public housing advisory council.

(a) There is established a public housing advisory council in the department of metropolitan development. The advisory council shall consist of nine (9) community members who possess a broad base of experience in the areas of community services, community relations, apartment management and maintenance, finance, and tenant relations. The advisory council shall provide advice and counsel to the ~~division of public housing division~~, through its administrator, concerning the management and operation of public housing in Indianapolis and Marion County.

(b) Appointments to the advisory council shall be made as follows:

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- (1) Two (2) members appointed by the mayor for an initial three-year term;
- (2) Two (2) members appointed by the mayor for an initial two-year term;
- (3) One member who shall be a tenant of a housing project, appointed by the mayor for an initial one-year term;
- (4) One member appointed by the city-county council for an initial three-year term;
- (5) One member appointed by the city-county council for an initial two-year term; and
- (6) Two (2) members, of whom one shall be a city-county councillor, appointed by the city-county council for an initial one-year term;

Subsequent appointments shall be for a two-year term.

(c) All members shall serve at the pleasure of the appropriate appointing authority and shall be eligible for reappointment. Members shall serve in person and without compensation.

(d) The officers of the advisory council shall consist of a chairman~~person~~ and a secretary, who shall be elected by the advisory council at their first meeting, and annually thereafter. The chairman~~person~~ shall be the presiding officer of the advisory council, and the secretary shall be its recording officer.

(e) The advisory council shall establish a meeting schedule, and may meet at such other times and places as may be needed in special session called by the chairman~~person~~. All meetings, whether regular or special, shall be open to the public.

Sec. 231-401. (e) Financial services division. Office of the director.

~~(1a) The financial services division office of the director is responsible for providing administrative support for the department and the deputy mayor of neighborhoods, director and for accomplishing programs and activities of the department which can be more efficiently or effectively accomplished in a central division.~~

~~(2) Powers and duties of the office of the director include designation and authorization to receive and distribute all funds received by the city pursuant to an act of the United States Congress entitled the "Housing and Community Development Act of 1974, as amended. The granting of this power shall not limit the power of the mayor to execute agreements with the United States government to receive those funds.~~

~~(3b) This division shall also have other powers and duties conferred granted by law statute or ordinance or assigned delegated by the mayor.~~

SECTION 2. The "Revised Code of the Consolidated City and County" be, and is hereby, amended to add a NEW Chapter 135 (which is a revision and recodification of sec. 2-231 of the Code of Indianapolis and Marion County that deletes the stricken-through text and inserts the underlined text) as follows:

CHAPTER 135 - FUNDS

ARTICLE III - NON-REVERTING CITY FUNDS

Sec. ~~2-231~~ 135-331. Special ~~H~~housing funds.

The following special housing funds are hereby ~~created in the division of finance,~~ established under the control of the city controller:

- (a) Housing general fund.
 - (1) The housing general fund shall be a continuing fund, with the balances remaining therein at the end of each calendar year, and no such balances shall lapse into the city general fund or ever be diverted, directly or indirectly, in any manner, to any other uses than for the division of public housing division, for the purpose of public housing, so long as the division shall be responsible to perform the public housing function. The anticipated needs, uses, and expenditures of the funds at any time in the housing general fund shall be set up by the department of metropolitan development in its annual budget, in accordance with requirements established by the U.S. Department of Housing and Urban Development. The housing general fund shall consist of all moneys and investment securities received by or held for the account of the division of public housing division in connection with housing projects operated or administered by the division of

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public housing division, including operating receipts, development funds, and advances made time to time by HUD. The housing general fund shall not include monies deposited with either a fiscal agent or paying agents for the payment of temporary or permanent notes of bonds.

- (2) Moneys may be withdrawn from the housing general fund for the payment of development costs, operating expenditures, including costs incurred for the administration, maintenances, establishment of reserves, other costs and charges for the operations of housing projects, the purchase of investment securities approved by the federal government, for purposes specified by the annual contributions contract between HUD and the city, and for any other purposes as may be specifically approved by the federal government.

(b) Debt service fund. The debt service fund is a trust fund established with a local bank serving as the fiscal agent, for the receipt, deposit and disbursement of the annual contributions and certain other monies in connection with housing projects permanently financed, in accordance with the annual contributions contract between the city and HUD.

(c) Advance amortization fund. The advance amortization fund is a special fund established for the receipt, deposit and disbursement of certain other monies in connection with permanently financed housing projects in accordance with the annual contributions contract between the city and HUD.

SECTION 3. The "Revised Code of the Consolidated City and County" be, and is here, amended by adding an Article II in a NEW Chapter 285 (which is a revision and recodification of sec. 2-230 of the Code of Indianapolis and Marion County that deletes the stricken-through text and inserts the underlined text) as follows:

CHAPTER 285 - SPECIAL AGENCIES

ARTICLE II - CITY MARKET

Sec. ~~2-230~~ 285-201. City market.

(a) For the purpose of this chapter (section), the following terms shall have the meanings ascribed to them:

- (1) "Market," "marketplace," "city market" or "public city market" shall mean the Indianapolis City Market, a place wherein spaces are leased for a valuable consideration for the purpose of selling and displaying for sale to the general public any items or products approved by the City Market Corporation.
- (2) "Marketer" shall mean any person who brings anything to sell and sells it from a space or who operates a space in the market.
- (3) "Space" shall mean any open floor or ground area marked off or designated in any of the main open areas of the market for the use of a marketer in the sale of ~~his~~ a marketer's products, in common with similar areas and not separated by partitions or walls on more than three (3) sides of the space. Space shall also include any floor space set off by partitions or walls on all four (4) sides thereof, or which may be so designated when so bounded upon at least three (3) sides, and where the whole area is used for sales.

(b) The legal description of the city market is as follows: South half of Square 43, Smith's Heirs Subdivision, Plat Book 8, page 193.

Sec. 285-202. City market corporation.

↔ The city shall cause to be formed a nonprofit City Market Corporation. The governing body of the corporation shall consist of a nine-member board of directors. Six (6) members of the board shall be community members who possess a broad base of experience in the areas of accounting, retail grocery, architecture, historic preservation and other business experience as would be helpful in carrying out the duties of the board. Three (3) of these members shall be appointed by and shall serve at the pleasure of the mayor, and three (3) of these members shall be appointed by and shall serve at the pleasure of the city-county council. The aforementioned members shall be appointed for terms of two (2) years; provided that the terms of members who are serving on October 1, 1990 are extended to December 31, 1990, so that all terms shall end on December 31 of the even numbered years. The three (3) remaining members shall consist of the:

- (1) City controller or the controller's designee;
- (2) ~~Director of administration~~ A deputy mayor or a designee appointed by the mayor; and

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- (3) One (1) elected or appointed official serving Indianapolis, who shall be appointed by the mayor.

Members shall serve in person and without compensation, and vacancies shall be filled by the appointing body responsible for the original appointment of the resigning board member. The governing body of the corporation shall meet at least quarterly and at such other additional times as needed circumstances might require.

Sec. 285-203. Lease authorized.

~~(4)~~ The city shall enter into a lease with the City Market Corporation for the lease of the foregoing city market property on such terms and conditions as may be negotiated between the city and the City Market Corporation from time to time and approved by the city-county council.

Sec. 285-204. Authority delegated.

~~(e)~~ The City Market Corporation shall set the policies, approve the budget and hire the general manager of the city market.

SECTION 4. The "Revised Code of the Consolidated City and County," is hereby amended to add a new Article IV in Chapter 202 as follows:

CHAPTER 202

ARTICLE IV. OFFICE OF YOUTH AND FAMILY SERVICES

Sec. 202-301. There is hereby established as part of the mayor's office an office of youth and family services.

Sec. 202-302. Director. The director of the office of youth and family services shall be appointed by and serve at the pleasure of the mayor. The director shall be responsible to the deputy mayor for neighborhoods for the functions of the office.

Sec. 202-303. Duties of director. The director shall:

- (1) Supervise and coordinate the activities of the office;
- (2) Oversee the daily operations of the office;
- (3) Prepare and submit the office's budget to the controller;
- (4) Approve the hiring and dismissal of the personnel of the office subject to the limitations prescribed by law and rules adopted by the mayor;
- (5) Manage the personnel of the office;
- (6) Delegate to the personnel of the office authority to act on the director's behalf;
- (7) Execute contracts subject to the authority of the city-county administrative board, the mayor and any other limitations prescribed by law; and
- (8) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

Sec. 202-304. Powers of office of youth and family services. The office of youth and family services shall:

- (1) Administer and, subject to the approval of the director, contract for the administration of federal, state and locally funded programs including, but not limited to:
 - a. Employment and training programs
 - b. Programs for youth
 - c. Neighborhood health programs
 - d. Programs for senior citizens
 - e. Neighborhood centers
 - f. Homeless shelters
 - g. Other appropriate social service programs
- (2) Exercise any other powers and duties which may be granted by statute or ordinance or delegated by the mayor.

SECTION 5. Division IV of Article V of Chapter 2 and Sec. 24-45 through 24-49 (inclusive) of Chapter 24 of the Code of Indianapolis and Marion County, Indiana, is hereby superseded and repealed as of the effective date of this ordinance.

SECTION 6. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 7. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 285, 1992. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 285, 1992 on June 11 and July 30, 1992. The proposal concerns the reorganization of the Department of Public Works (DPW). DPW has been reorganized from seven divisions into three: Environmental Resources Management Division, Stormwater and Wastewater Management Division and Solid Waste Management Division. By a 6-0 vote on July 30, 1992, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption.

The President had some questions on the disposal of real property by DPW and directed Councillor Coughenour to inquire how the Mayor purports to manage the City's surplus property.

Proposal No. 285, 1992, as amended, was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Giffin, Gilmer, Hinkle, Jimison, Jones, McClamroch, Moriarty, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams

0 NAYS:

5 NOT VOTING: Black, Franklin, Golc, Howard, Smith

Proposal No. 285, 1992, as amended, was retitled GENERAL ORDINANCE NO. 43, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 43, 1992

A GENERAL ORDINANCE recodifying and amending Article V, Chapter 3, of the Code of Indianapolis and Marion County and adopting a new Chapter 261 concerning the reorganization of the Department of Public Works.

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

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a NEW Chapter 261 (which is a revision and recodification of Article IV of Chapter 3 of the Code of Indianapolis and Marion County that deletes the stricken-through text and inserts the underlined text) as follows:

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CHAPTER 261. DEPARTMENT OF PUBLIC WORKS

ARTICLE I. DEPARTMENT ESTABLISHED

Sec. ~~3-400~~ 261-1. Department ~~created~~ established; ~~duties, powers.~~

~~(a) [Created].~~ There is hereby ~~created~~ established a department of public works for the consolidated city ~~as successor the department of public works established by IC 18-4-9 (repealed)~~ pursuant to IC 36-3-5-4 subject to IC 36-3-4-23.

Sec. 261-2. (b) Duties, powers. It shall be the duty of department of public works to ensure the environmental safety of the consolidated city in the areas of stormwater and wastewater management, liquid waste, solid waste management, flood control and air pollution control, and environmental resources management. The department shall exercise powers granted by this article and any additional powers granted by statute or ordinance or delegated by the mayor, ~~the city-county council or by law.~~ The department of public works shall exercise all powers prescribed by law for it as of August 31, 1983, subject to IC 36-3-4-23.

ARTICLE II. ORGANIZATION

Sec. ~~3-401~~ 261-11. Director, duties.

~~(a)~~ The ~~chief administrative officer~~ director of the department of public works shall ~~be a director who shall~~ be appointed by the mayor ~~with subject to~~ the approval of the city-county council as required by IC 36-3-5-2. The director is appointed for a term of one (1) year and until his successor is appointed and qualified, but serves at the pleasure of the mayor for a term ending December 31 of the year the appointment is effective and until a successor is appointed and qualifies.

Sec. 261-12. Duties of director.

~~(b)~~ The director ~~of the department of public works shall have the following powers and duties with respect to the department:~~

- ~~(1)~~ To supervise and coordinate the activities of Manage the divisions within the department, provide policy direction and develop strategic management and capital improvement plans;
- ~~(2)~~ To Oversee the daily operation of the department;
- ~~(3)~~ To prepare and submit the department's budget to the fiscal officer as required by IC 36-3-4-4(b)(1);
- ~~(4)~~ To appoint an administrator to be the head of each division of the department division administrators, assistant division administrators and an executive officer subject to the approval of the mayor as provided in IC 36-3-5-5;
- ~~(5)~~ To approve the hiring and dismissal of the personnel of the department subject to the limitations prescribed by law and rules adopted by the mayor as provided in IC 36-3-5-5;
- ~~(6)~~ To manage the personnel of Provide administrative support to the department;
- ~~(7)~~ To delegate to the personnel employed in the department authority to act in his the director's behalf as provided in IC 36-3-5-5(c);
- ~~(8)~~ To execute contracts on behalf of the department subject to the powers of the mayor and the board of public works;
- ~~(9)~~ Provide for the management of surplus real property acquired by the city due to nonpayment of taxes or any other reason and for the disposal of such property pursuant to IC 36-1-11; and
- ~~(10)~~ Any Exercise any other powers which may be granted by law statute or ordinance or delegated by the mayor or the city-county council.

Sec. ~~3-402~~ 261-13. Divisions.

The department of public works shall be composed of the following divisions:

- (1) Stormwater and Wastewater Management Division.

(2) Solid Waste Management Division.

(3) Environmental Resource Management Division.

Sec. 261-21. (a) Board of public works established. There is hereby established a board of public works pursuant to IC 36-3-5-6 and IC 36-3-4-23.

Sec. 261-22. (b) Members. The board of public works shall be composed of five (5) members; the department director, who serves as presiding officer of the board; two (2) members appointed by the mayor and two (2) members appointed by the city-county council. Each appointed member shall serve a one-year term and until ~~his~~ such member's successor is appointed and qualified, but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.

Sec. 261-23. (ea) Meetings. The board shall hold regular meetings at least once a month, at times and places prescribed by its rules or established by resolution. No notice to members is required for holding or taking any action at a regular meeting. A special meeting of the board may be called by presiding officer or by two-fifths of the members, at any place in the county designated in the call. Each member shall be notified of the time and place of such a meeting by written notice which must be delivered, mailed or sent by telegram so that each member has at least seventy-two (72) hours' notice of the meeting. The notice requirements may be waived as to a member if ~~he~~ such member attends the meeting or executes a written waiver of notice. The waiver may be executed either before or after the meeting, but if executed after, it must state in general terms the purpose of the meeting.

(4b) Board action. A majority of all members of the board constitutes a quorum. A majority vote of all board members is required to pass a resolution.

Sec. 261-24. Powers. The board of public works shall have the following powers:

- (1) To review all budgets prepared by the department and recommend to the city-county council any revisions the board feels desirable;
- (2) To hold any hearings to be held following public notice and make findings and determinations required by applicable law;
- (3) To approve the award and amendment of contracts let by the department for the purchase or lease of capital equipment or other property where the contract is required to be bid under IC 36-1-9;
- (4) To approve the award and amendment of public construction contracts let by the department which are required to be bid under IC 36-1-12;
- (5) To approve the acquisition of and leases for real estate by the department;
- (6) To approve the employment of persons engaged by the department by contract to render professional or consulting services;
- (7) To approve the disposal of property by the department as specified in IC 36-1-11;
- (8) To exercise flood control power as described in IC 36-9-29.1, drainage power as described in IC 36-9-27; and waste collection and disposal powers as described in IC 36-9-31;
- (9) To authorize abutments as stated in section 7-2 of the Code of Indianapolis and Marion County, Indiana;
- (10) To exercise the powers given to the board in Chapters 10½, 17½, 19 and 27 of the Code of Indianapolis and Marion County, Indiana;
- (11) To contract with any individual or corporation for supplying the city with gas, water, steam, power, heat or electricity, but any such contract shall be submitted to the city-county council for approval. No such contract shall be for a term of longer than twenty-five (25) years. This power shall not interfere with the exclusive power of the board of transportation to enter into contracts for the lighting of public streets pursuant to Sec. 3-503 Chapter 271;
- (12) Any other powers ~~given to the board by law or granted by statute or ordinance or delegated by the mayor or the city-county council.~~

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Sec. ~~3-405~~ 261-25. Promulgation of rules and regulations.

(a) Notice of hearing. Before any rule, regulation or standard is adopted by the board of public works as authorized by this Code, it shall use the procedures in this section ~~3-405~~ unless otherwise provided for by state law. The board shall cause a notice to be published in a newspaper of general circulation printed and published in the county at least ten (10) days prior to the date set for a hearing. The notice shall include a statement of the time and place of the hearing, a reference to the subject matter of the proposed rule or regulation and reference to the fact that a copy of the proposed rule or regulation is on file in the office of the department of public works and in the office of the city clerk where it may be examined; however, no rule or regulation shall be invalid because the reference to the subject matter thereof in such notice is inadequate or insufficient.

(b) Filing of proposal. At least five (5) copies of a proposed rule or regulation shall be on file in the office of the department of public works and in the office of the city clerk from the date of publication of the notice required by subsection (a) continuously to the time of the hearing. Any interested persons shall be given an adequate opportunity to examine a copy of the proposed rule or regulation. The city clerk shall furnish to each member of the city-county council a copy of each proposed rule or regulation filed in the office of the city clerk.

(c) Hearing. On the date set for a hearing on a proposed rule or regulation, any interested party shall be afforded an adequate opportunity to participate in the formulation of the proposed rule or regulation through the presentation of facts or arguments or the submission of written data or facts. All relevant matters presented shall be given full consideration by the board of public works. All hearings conducted by the board of public works shall be open to the public. Any person may appear and testify at a hearing, either in person or by a duly authorized representative or attorney.

(d) Publication of adopted rules and regulations and review by the city-county council. At the conclusion of a public hearing held pursuant to this section, the board of public works may adopt such rules and regulations or may provide for the continuation of the hearing as the board may deem appropriate, which further hearing may be held without the requirement of publication notice.

After adoption of such rules and regulation, the secretary of the board shall file a copy of the same with the clerk of the city-county council. The board shall publish a notice once a week for two (2) consecutive weeks after each board meeting at which rules and regulations were adopted, that the board of public works has adopted certain rules and regulations, giving the number of the same and the general title thereof and stating that copies are available for examination in the office of the department of public works and the office of the city clerk. The rules and regulations shall not become effective or enforceable until thirty (30) days after the date upon which the regulations are filed with the clerk. During such thirty (30) day period, the city-county council may further stay, up to a maximum of ninety (90) days, the taking effect of such rules and regulations for review by the city-county council or for legislation by the city-county council within the subject matter of the rules and regulations or may by resolution or ordinance disapprove or reject such rules or regulations, in which latter case the action of the board of public works in adopting such rules and regulations shall be of no effect. After complying with the requirements for publication, and if the city-county council has not stayed the taking effect of such rules and regulations or disapproved or rejected them, such rules and regulations as are adopted by the board shall become effective.

(e) Alteration of existing rules or regulations. In case the board of public works desires to repeal, rescind or amend any rule or regulation, the same procedures shall be followed as are provided in this section for the promulgation of rules or regulations.

(f) Enforcement of rules and regulations promulgated under this section. A violation of any rule or regulation promulgated under this section constitutes a municipal violation. Any person convicted of violating any rule or regulation promulgated under this section shall be subject to the general penalty provisions contained in section ~~1-8~~ 101-3 of this Code.

ARTICLE III. DIVISIONS

~~(A) Administrative division. The administrative division shall have the following powers:~~

~~(1) To provide management and support to the department in the areas of finance and public relations as well as any other areas designated by the director;~~

~~(2) To manage surplus property acquired by the city due to nonpayment of taxes or any other reason and to dispose of such property pursuant to IC 36-1-11;~~

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~~(3) To approve plans and issue permits for sewer construction and connection as required in Chapter 27 of the Code of Indianapolis and Marion County, Indiana, and otherwise provide engineering services to the other division as necessary.~~

~~(B) Air pollution control division. The air pollution control division shall initiate and carry out strategies to achieve and maintain acceptable air purity in the county as described in Chapter 4 of the Code of Indianapolis and Marion County, Indiana.~~

Sec. 261-101. (C) ~~Advanced wastewater treatment division~~ Stormwater and Wastewater Management Division. The advanced stormwater and wastewater treatment management division shall have the following powers:

- (1) ~~To~~ Treat wastewater in the consolidated city;
- (2) ~~To~~ Design, construct, operate and maintain wastewater collection and treatment facilities;
- (3) ~~To maintain~~ Provide for the accounts billing and collection of sewer user customers service accounts;
- (4) Approve plans and issue permits for sewer construction and connection as required in Chapter 27 of the Code of Indianapolis and Marion County, Indiana;
- (45) ~~To p~~Provide engineering services to ~~other divisions as necessary,~~ the department;
- (6) Be responsible for flood control projects within the flood control district;
- (7) Approve, design, construct and maintain drains, ditches, rivers, creeks and other watercourses as provided by law;
- (8) Approve, design, construct and maintain levees throughout the flood control district as provided by law;
- (9) Maintain Eagle Creek Dam and regulate the water level of the Eagle Creek Reservoir;
- (10) Approve plans and issue permits as provided in Chapter 10 1/2 of the Code of Indianapolis and Marion County, Indiana;
- (11) Design, construct, operate and maintain the stormwater collection system except as provided by law;
- (12) Measure wastewater flows in sewers and locate sources of clear water entering sanitary sewers; and
- (13) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

Sec. 261-201. (D) ~~Solid Waste Management Division~~. The solid waste management division shall have the following powers:

- (1) ~~To~~ Provide for collection and ~~dispose~~ disposal of residential solid waste household refuse of residents in the Indianapolis Solid Waste Collection and Disposal Service Districts;
- ~~(2) To pick up and dispose of animal carcasses;~~
- (32) ~~To~~ Ticket, tow and dispose of abandoned vehicles in the consolidated city, except to the extent the department of public safety disposes of vehicles impounded and stored by the Indianapolis Police Department and subject to disposal as abandoned vehicles pursuant to Chapter 29 of the Code of Indianapolis and Marion County, Indiana;
- (3) Facilitate solid waste reduction programs;
- (4) Be responsible for weed abatement on public and private property within the consolidated city other than that for which the township trustee is responsible;
- (5) Facilitate ordinance enforcement related to solid waste management;

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- (6) Provide for disposal of dead animal bodies and body parts as provided for in Chapter 6 of the Code of Indianapolis and Marion County;
- (7) Be responsible for solid waste management activities as provided by law; and
- (8) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.
- ~~(3) Flood control division. The flood control division shall have the following powers:~~
 - ~~(1) To be responsible for flood control projects within the flood control district;~~
 - ~~(2) To approve, design, construct and maintain drains, ditches, rivers, creeks and other watercourses throughout the district as provided by law except as provided in Article VI of Chapter 3 of the Code of Indianapolis and Marion County, Indiana;~~
 - ~~(3) To approve, design, construct and maintain levees throughout the district as provided by law;~~
 - ~~(4) To maintain Eagle Creek Dam and regulate water level of the Eagle Creek Reservoir;~~
 - ~~(5) To approve plans and issue permits required by chapter 10 1/2 of the Code of Indianapolis and Marion County, Indiana;~~
 - ~~(6) To be responsible for weed abatement on public and private property within the consolidated city; and~~
 - ~~(7) To provide engineering services to other divisions as necessary.~~

Sec. 261-301. (F) ~~Water and land pollution control division~~ Environmental Resources Management Division. The ~~water and land pollution control division~~ environmental resources management division shall have the following powers:

- (1) To pProvide management and support to the department in the areas of environmental policy and planning for air, water and land pollution control;
- (2) To pPerform pollution control programs and services in order to improve the environmental quality in the consolidated city with regard to groundwater, surface water and hazardous waste;
- (3) To aApprove plans and issue permits for, and otherwise monitor and regulate, industrial, commercial, and any other non-domestic discharges into the sewer system, as described in Chapter 27 of the Code of Indianapolis and Marion County, Indiana;
- (4) To mMonitor and regulate septage hauling;
- (5) To rRespond to hazardous waste spills and other emergencies which threaten contamination of sewers, groundwater, or surface water; and
- (6) To pProvide engineering and technical services to other divisions as necessary;
- (7) Carry out strategies to achieve and maintain acceptable air purity in the county as provided in Chapter 4 of the Code of Indianapolis and Marion County, Indiana;
- (8) Provide training and safety, including but not limited to hazardous material safety and operational training and safety; and
- (9) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.
- ~~(G) Sewer maintenance division. The sewer maintenance division shall have the following powers:~~
 - ~~(1) To operate and maintain the wastewater collection system in the consolidated city.~~
 - ~~(2) To design, construct and repair storm and sanitary sewer structures in the consolidated city.~~
 - ~~(3) To measure wastewater flows in sewers and locate sources of clear water entering sanitary sewers.~~

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SECTION 2. Article V of Chapter 3 of the Code of Indianapolis and Marion County, Indiana, is hereby superseded and repealed as of the effective date of this ordinance.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 316, 1992. Councillor Curry reported that the Administration and Finance Committee heard Proposal No. 316, 1992 on August 3, 1992. The proposal transfers and appropriates \$100,000 for the Department of Administration, Legal Division, to cover unexpected litigation expenses. By a 4-3 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.

Councillor Williams stated that she will not support a transfer out of Personal Services because there is only one City lawyer handling all the cases (300+) that come from the neighborhoods. The neighborhood area in the Legal Division, in her opinion, is understaffed.

Councillor Jimison asked if these moneys are going to be used to contract outside of the Legal Division to bring in attorneys from other law firms. Councillor Curry replied that these moneys will be used to contract for skills not presently available in the Legal Division and to provide for representation in cases where judges rule conflict of interest through representation by the Legal Division. Councillor Jimison asked what types of skills have to be contracted for and the information concerning conflict of interest cases.

Sue Beesley, Corporation Counsel, stated the Legal Division needs expertise in the areas of environmental and real estate. She said that all contracts have been changed to institute a mentoring program, so that a member of the Legal Division works with the outside expert so as to acquire experience in a particular area. City Legal has nine or ten cases coming up that could be judged conflict of interest cases.

Proposal No. 316, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 316, 1992 was retitled FISCAL ORDINANCE NO. 50, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional One Hundred Thousand Dollars (\$100,000) in the

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Consolidated County Fund for purposes of the Department of Administration, Legal Division, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Administration, City Legal Division to pay for unanticipated expenses relating to federal court cases and labor negotiations.

SECTION 2. The sum of One Hundred Thousand (\$100,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF ADMINISTRATION</u> <u>LEGAL DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>\$100,000</u>
TOTAL INCREASE	\$100,000

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

<u>DEPARTMENT OF ADMINISTRATION</u> <u>LEGAL DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	<u>\$100,000</u>
TOTAL REDUCTION	\$100,000

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

PROPOSAL NO. 317, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 317, 1992 on August 3, 1992. The proposal transfers and appropriates \$25,000 for the Department of Administration, Human Resources Division, to pay for computerization expenses. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 317, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 317, 1992 was retitled FISCAL ORDINANCE NO. 51, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the Consolidated County Fund for purposes of the Department of Administration, Human Resources Division, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Administration, Human Resources Division, to complete computer networking for the division.

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SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF ADMINISTRATION</u> <u>HUMAN RESOURCES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
2. Supplies	\$ 8,000
4. Capital Outlay	<u>17,000</u>
TOTAL INCREASE	\$25,000

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

<u>DEPARTMENT OF ADMINISTRATION</u> <u>HUMAN RESOURCES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>\$25,000</u>
TOTAL REDUCTION	\$25,000

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

PROPOSAL NO. 318, 1992. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 318, 1992 on August 3, 1992. The proposal, sponsored by Councillor Dowden, authorizes the lease of approximately 15,000 square feet of office space for the Marion County Cooperative Extension Service. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Howard, for adoption. Proposal No. 318, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 318, 1992 was retitled SPECIAL RESOLUTION NO. 55, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 1992

A SPECIAL RESOLUTION authorizing the lease of approximately 15,000 usable square feet of office space for the Marion Cooperative Extension Service.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease for office space from owners, Lincoln National, for the use of the Marion County Cooperative Extension Service is necessary.

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

PROPOSAL NO. 324, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 324, 1992 on July 22, 1992. The proposal transfers and appropriates \$25,000 for the Forensic Services Agency to purchase chemical supplies. By a 9-0 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. Proposal No. 324, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Black, Hinkle, Ruhmkorff*

Proposal No. 324, 1992 was retitled FISCAL ORDINANCE NO. 52, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the County General Fund for purposes of the Forensic Services Agency and reducing certain other appropriations for that department.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (y) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency to buy chemical supplies.

SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) 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>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$25,000
TOTAL INCREASE	\$25,000

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

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	\$10,000
4. Capital Outlay	15,000
TOTAL REDUCTION	\$25,000

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

PROPOSAL NO. 326, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 326, 1992 on July 22, 1992. The proposal amends the Code concerning the duties and responsibilities of the Marion County Justice Agency. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 326, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Black, Ruhmkorff, Short*

Proposal No. 326, 1992 was retitled GENERAL ORDINANCE NO. 44, 1992 and reads as follows:

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CITY-COUNTY GENERAL ORDINANCE NO. 44, 1992

A GENERAL ORDINANCE amending Section 2-317 and Section 2-455 of the Code of Indianapolis and Marion County, Indiana.

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 2-455 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the language underscored to read as follows:

Sec. 2-317. Additional Duties and Responsibilities.

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

- (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~~al~~ 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;
- (l) To promulgate rules and regulations for the efficient administrations of its policies and procedures for the subject agencies;
- (m) To establish requirements for standards for privacy of personally identifiable confidential information and security of systems and records of subject agencies;
- (n) To delegate any functions to the director, subject to review by the board;
- (o) To hire personnel, who serve at the director's pleasure according to law, to carry out its duties;
- (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~~
- (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;
- (r) To administer the Pre-Trial Services Division and its subdivisions including the Lock-Up Services, Conditional Release Office, Failure To Appear Office, and Office of the Jail Ombudsman;

- (s) To administer the Law Enforcement fund and to have authority over expenditures from the fund;
- (t) To coordinate expenditures of the County Correction Fund in furtherance of streamlining and coordination of the delivery of pre-trial services.

Sec. 2-455. Pre-trial Release Fee.

A person arrested for a crime who is released pre-trial on terms and conditions other than the ten percent (10%) system of release shall pay an administrative fee of twenty dollars (\$20.00) to the Clerk of Marion County. The Clerk shall forward the administrative fees collected to the Auditor of Marion County in accordance with I.C. 33-19-1-3.

SECTION 2. This ordinance codifies and supersedes Special Resolution No. 31, 1989, which shall be repealed upon the effective date of this ordinance.

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

PROPOSAL NO. 327, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 327, 1992 on July 22, 1992. The proposal, sponsored by Councillors SerVaas, Beadling, Borst, Franklin and Short, amends the Code concerning the Building Authority's security officers. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Franklin, for adoption.

Councillor Howard voiced his disapproval of the public receiving parking tickets instead of warnings.

Councillor Coughenour suggested some guidelines for the Building Authority's security officers concerning the semicircle on Market Street. She believes they are too inconsistent in their handling of attended cars parked around the semicircle.

The President said that this proposal directs the Building Authority to enforce the law on standing and parking around the City-County Building and to police people coming in and out of the building.

Councillor Smith commended the Building Authority's security officers for a job well done.

Councillor Williams stated that the passage of this proposal should not be construed that it will somehow assist the judges in their security issues concerns because it is not against any City ordinance to walk into this building with a deadly weapon.

Councillor Curry said that since August 2, 1959 the Rules and Regulations of the City-County Building provide that no person while in the building shall carry firearms or other dangerous or deadly weapons or explosives, either open or concealed, except for official purposes. The Building Authority security officers, in his opinion, have the ability to enforce the ban against carrying these kinds of items.

Proposal No. 327, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 327, 1992 was retitled GENERAL ORDINANCE NO. 45, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1992

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Indiana by amending Sec. 29-24, General authority of police and fire department officials, to add new provisions concerning Indianapolis-Marion County Building Authority.

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

SECTION 1. Sec. 29-24 of the Code of Indianapolis and Marion County, Indiana is hereby amended by inserting the text underlined to read as follows:

Sec. 29-24. General authority of police and fire department officials.

(a) It shall be the duty of the officers of the police department, or such officers and persons as are assigned by the chief of police or the board of public safety for such purposes, to enforce all provisions of this chapter and other provisions of this Code, or any other ordinances or state laws applicable to traffic in the city.

(b) Officers of the police department, or such persons or officers as are so assigned by the board of public safety or by the chief of police, are authorized by this chapter to direct and control all traffic by voice, hand, signs or signals in conformity with this chapter or other traffic laws and regulations. In the event of and during a fire, or any other emergency, or because of the condition of the street, to expedite traffic or to safeguard pedestrians or any person or property, any officers of the police department may direct, control, divert or exclude traffic, as conditions may then and there require, notwithstanding any of the provisions of this Code or other ordinances or state traffic laws.

(c) Officers of the fire department, when at the scene of a fire or other occurrence, may direct or assist the police in directing and may limit, divert or exclude traffic at the scene of the fire or in the immediate vicinity thereof, while the emergency continues.

(d) IC 36-9-13 authorizes the Indianapolis-Marion County Building Authority to operate the city-county building and IC 36-8-10-10.6 allows the county sheriff to appoint building authority's security officers as special deputies for enforcing the laws. Thus, for the public safety of all users of the city-county building, such building authority security officers, are specifically empowered and directed to enforce all laws, including posted no parking areas, on the public streets and sidewalks around the circumference of the building. Building authority security officers also shall enforce laws and building rules within the city-county building and grounds.

SECTION 2. This ordinance shall be in effect from and after its adoption and compliance with IC 36-3-4-14.

Councillor Gilmer asked for consent to vote on Proposal Nos. 330, 331, 332 and 337, 1992 together and to vote on Proposal Nos. 333, 334, 335, 336, 338, 339, 340, 342, 343, 345, 346 and 347, 1992 together. Consent was given.

PROPOSAL NO. 330, 331, 332 and 337, 1992. PROPOSAL NO. 330, 1992. The proposal, sponsored by Councillor Beadling, amends the Code by authorizing intersection controls in the Spinnaker Cove subdivision (District 5). PROPOSAL NO. 331, 1992. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing intersection controls in the Bradford Meadows subdivision (District 1). PROPOSAL NO. 332, 1992. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing intersection controls in the Crooked Creek subdivision (District 1). PROPOSAL NO. 337, 1992. The proposal, sponsored by Councillor Hinkle, amends the Code by upgrading existing intersection controls to current DOT standards at various locations (District 18). By a 7-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal Nos. 330, 331, 332 and 337, 1992 were 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, SerVaas, Shambaugh, Short, Smith, West, Williams*

August 3, 1992

1 NAY: Black

2 NOT VOTING: Giffin, Schneider

Proposal No. 330, 1992 was retitled GENERAL ORDINANCE NO. 46, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 5	Hardwood Dr. & Masters Rd.	Masters Rd.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-92, Schedule of intersection traffic controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
6, Pg. 1	Backwater Dr. & Long Boat Dr.	Backwater Dr.	Stop
6, Pg. 1	Backwater Dr. (SB) & Sea Pine Dr.	Sea Pine Dr.	Stop
6, Pg. 5	Hardwood Dr., Masters Rd., & Sea Pine Dr.	Masters Rd.	Stop

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

Proposal No. 331, 1992 was retitled GENERAL ORDINANCE NO. 47, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 3	Moeller Rd. & 62nd St.	62nd St.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

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<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Bradford Meadow Ci. & Old Bard Dr.	Old Barn Dr.	Yield
9, Pg. 3	Moeller Rd., Old Barn Dr. & 62nd St.	62nd St.	Stop
9, Pg. 3	Old Barn Ci. & Old Barn Dr.	Old Barn Dr.	Yield
9, Pg. 3	Old Barn Ct. & Old Barn Dr.	Old Barn Dr.	Yield
9, Pg. 3	Old Barn Dr. & Zionsville Rd.	Zionsville Rd.	Stop

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

Proposal No. 332, 1992 was retitled GENERAL ORDINANCE NO. 48, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 1	Camberwood Dr. & Tappan Dr. (7376 N)	Camberwood Dr.	Stop
9, Pg. 1	Camberwood Ct. & Camberwood Dr.	Camberwood Dr.	Stop
9, Pg. 1	Camberwood Ct. & Crickwood Pl.	Camberwood Ct.	Stop
9, Pg. 1	Camberwood Dr. & Camwell Dr.	Camberwood Dr.	Stop
9, Pg. 1	Camberwood Dr. & Tappan Dr. (7124 N)	Camberwood Dr.	Stop
9, Pg. 1	Camberwood Dr. & 71st St.	71st St.	Stop

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

Proposal No. 337, 1992 was retitled GENERAL ORDINANCE NO. 53, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

August 3, 1992

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 1	Archwood Dr. & Green Springs Rd.	Archwood Dr.	Yield
22, Pg. 1	Archwood Dr. & Heather Dr.	Heather Dr.	Yield
22, Pg. 2	Cedar Bluff Dr. & Green Springs Rd.	Green Springs Rd.	Yield
22, Pg. 2	Cedar Bluff Dr. & Heather Dr.	Heather Dr.	Yield
22, Pg. 3	Daisy La. & Heather Dr.	Heather Dr.	Yield
22, Pg. 4	Furman Av. & Green Springs Rd.	Green Springs Rd.	Yield
22, Pg. 4	Furman Av. & Lockerbie Dr.	Lockerbie Dr.	Yield
22, Pg. 4	Heather Dr. & Lockerbie Dr.	Heather Dr.	Yield

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22, Pg. 1	Archwood Dr. & Green Springs Rd.	Archwood Dr.	Stop
22, Pg. 1	Archwood Dr. & Heather Dr.	Heather Dr.	Stop
22, Pg. 2	Cedar Bluff Dr. & Green Springs Rd.	Green Springs Rd.	Stop
22, Pg. 2	Cedar Bluff Dr. & Heather Dr.	Heather Dr.	Stop
22, Pg. 3	Daisy La. & Heather Dr.	Heather Dr.	Stop
22, Pg. 4	Furman Av. & Green Springs Rd.	Green Springs Rd.	Stop
22, Pg. 4	Furman Av. & Lockerbie Dr.	Lockerbie Dr.	Stop
22, Pg. 4	Heather Dr. & Lockerbie Dr.	Heather Dr.	Stop

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

Councillor Ruhmkorff moved to remove Proposal No. 341, 1992 from the "Table" status and hear it before the Council at this time. Councillors O'Dell, Gilmer and Beadling opposed this motion. By a majority voice vote, Councillor Ruhmkorff's motion failed.

PROPOSAL NO. 333, 334, 335, 336, 338, 339, 340, 342, 343, 344, 345, 346 and 347, 1992. PROPOSAL NO. 333, 1992. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing a traffic signal at the intersection of Dandy Trail and 34th Street (District 1). PROPOSAL NO. 334, 1992. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing a traffic signal at the intersection of Moller Road and 46th Street (District 1). PROPOSAL NO. 335, 1992. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing a traffic signal at the intersection of Guion Road and 62nd Street (Districts 1 and 9). PROPOSAL NO. 336, 1992. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing a traffic signal at the intersection of Kentucky Avenue, Olender Drive and Southwest Drive (District 19). PROPOSAL NO. 338, 1992. The proposal, sponsored by Councillor Giffin, amends the Code by authorizing a 4-way stop at the intersection of Bridgeport Road and Haueisen Road (District 19). PROPOSAL NO. 339, 1992. The proposal, sponsored by Councillor Schneider, amends the Code by authorizing intersection controls at Brewster and Sawleaf Roads and Brewster and Staghorn Roads (District 3). PROPOSAL NO. 340, 1992. The proposal, sponsored by Councillor Brents, amends the Code by authorizing intersection controls at Merrill Street and Missouri Street (District 16). PROPOSAL NO. 342, 1992. The proposal, sponsored by Councillor Brents, amends the Code by authorizing parking restrictions on both sides of Vermont Street between West Street and Toledo Street (District 16). PROPOSAL NO. 343, 1992. The proposal, sponsored by Councillor Brents, amends 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). PROPOSAL NO. 344, 1992. The proposal, sponsored by Councillor Brents, amends the Code by changing the length of the current loading zone for the Indianapolis Symphony Orchestra, 45 Monument Circle (District 16). PROPOSAL NO. 345, 1992. The proposal, sponsored by Councillor Brents, amends the Code by authorizing a passenger and material loading zone at 100 East Court Street for the Summit Bank (District 16). PROPOSAL NO. 346, 1992. The proposal, sponsored by Councillor Brents, amends 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). PROPOSAL NO. 347, 1992. The proposal, sponsored by Councillor Gilmer, amends the Code by authorizing a 35 mph speed limit on Dandy Trail between 46th Street and 56th Street (District 1). By a 7-0 vote, the Committee reported Proposal Nos. 333, 334, 338, 339, 340, 342 and 343, 1992 to the Council with the recommendation that they do pass. By a 6-0 vote, the Committee reported Proposal No. 335, 1992 to the Council with the recommendation that it do pass. By a 5-0 vote, the Committee reported Proposal No. 336, 1992 to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 333, 334, 335, 336, 338, 339, 340, 342, 343, 344, 345, 346 and 347, 1992 were adopted on the following roll call vote; viz:

27 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, West, Williams

1 NAY: Black

1 NOT VOTING: Giffin

Proposal No. 333, 1992 was retitled GENERAL ORDINANCE NO. 49, 1992 and reads as follows:

August 3, 1992

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
15, Pg. 2	Dandy Trail 34th St.	Dandy Trail	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
15, Pg. 2	Dandy Trail 34th St.	None	Signal

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

Proposal No. 334, 1992 was retitled GENERAL ORDINANCE NO. 50, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 7	Moller Rd. & 46th St.	None	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
16, Pg. 7	Moller Rd. & 46th St.	None	Signal

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

Proposal No. 335, 1992 was retitled GENERAL ORDINANCE NO. 51, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 2	Guion Rd. & 62nd St.	None	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 2	Guion Rd. & 62nd St.	None	Signal

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

Proposal No. 336, 1992 was retitled GENERAL ORDINANCE NO. 52, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
37, Pg. 3	Kentucky Av. & Olender Dr.	Kentucky Av.	Stop
37, Pg. 3	Kentucky Av. & Southwest Dr.	Kentucky Av.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
37, Pg. 3	Kentucky Av./ Olender Dr./Southwest Dr.	None	Signal

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

Proposal No. 338, 1992 was retitled GENERAL ORDINANCE NO. 54, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

August 3, 1992

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
36, Pg. 1	Bridgeport Rd. & Haueisen Rd.	Bridgeport Rd.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
36, Pg. 1	Bridgeport Rd. & Haueisen Rd.	None	Stop

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

Proposal No. 339, 1992 was retitled GENERAL ORDINANCE NO. 55, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 2	Brewster Rd. & Sawleaf Rd.	Brewster Rd.	Yield
3, Pg. 2	Brewster Rd. & Staghorn Rd.	Brewster Rd.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
3, Pg. 2	Brewster Rd. & Sawleaf Rd.	None	Stop
3, Pg. 2	Brewster Rd. & Staghorn Rd.	None	Stop

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

Proposal No. 340, 1992 was retitled GENERAL ORDINANCE NO. 56, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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 "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 15	Merrill St. & Missouri St.	None	Signal

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 15	Merrill St. & Missouri St.	Merrill St.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32, Pg. 15	Merrill St. & Missouri St.	Missouri St.	Stop

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

Proposal No. 342, 1992 was retitled GENERAL ORDINANCE NO. 57, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 57, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Vermont Street, on both sides, from
West Street to Toledo Street

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

Proposal No. 343, 1992 was retitled GENERAL ORDINANCE NO. 58, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-266, Special parking privileges for certain persons or vehicles in certain locations.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-266, Special parking privileges for certain persons or vehicles in certain locations, be, and the same is hereby amended by the addition of the following, to wit:

(a) Notwithstanding any prohibitions or restrictions elsewhere in this chapter upon parking or temporary stops applicable to the general public, the following persons or vehicles are hereby granted the special parking privileges set out in this section and within the locations designated:

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- (10) Any vehicle so marked with a U.S. Post Office, Caller Service parking permit, may park between 7:00 a.m. and 9:00 a.m. in the following location:

Meridian Street, on the east side, from a point 74 feet south of New York Street to a point 162 feet south of New York Street.

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

Proposal No. 344, 1992 was retitled GENERAL ORDINANCE NO. 59, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and material loading zones.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and material loading zones, be, and the same is hereby amended by the deletion of the following, to wit:

Monument Circle (southeast quadrant), from
a point 100 feet south of Market Street
to a point 161 feet south of Market Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and material loading zones, be, and the same is hereby amended by the addition of the following, to wit:

Monument Circle (southeast quadrant), from
a point 100 feet south of Market Street
to a point 139 feet south of Market Street

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

Proposal No. 345, 1992 was retitled GENERAL ORDINANCE NO. 60, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and material loading zones.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-331, Passenger and material loading zones, be, and the same is hereby amended by the addition of the following, to wit:

Court Street, on the south side, from
a point 103 feet east of Pennsylvania Street
to a point 133 feet east of Pennsylvania Street

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

Proposal No. 346, 1992 was retitled GENERAL ORDINANCE NO. 61, 1992 and reads as follows:

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CITY-COUNTY GENERAL ORDINANCE NO. 61, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-332, Bus stop zones.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-332, Bus stop zones, be, and the same is hereby amended by the addition of the following, to wit:

BUS STOP ZONES

Pennsylvania Street, on the west side, from
a point 36 feet north of Ohio Street, to
a point 124 feet north of Ohio Street (88 feet)

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

Proposal No. 347, 1992 was retitled GENERAL ORDINANCE NO. 62, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-136, Alteration of prima facie speed limits.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

Dandy Trail, from Forty-sixth Street
to Fifty-sixth Street, 35 mph

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

NEW BUSINESS

A quorum being present, the President called the Committee of the Whole to order at 10:04 p.m.

Councillor Boyd stated that he would like some discussion concerning the difficulty in getting Committee quorums. One way to resolve this might be to reassign Councillors or perhaps reduce the number of Councillors on Committees.

The President said that this is not a wide-spread problem, but it is a problem on occasion.

Councillor Schneider stated that the failure to get a quorum might be the result of having only one item on the agenda.

Councillor Ruhmkorff said that as chairwoman of the Community Affairs Committee she has to call a meeting with only one proposal since there are so few proposals referred to her Committee. She also commented that it is her opinion that Councillors who come in late and leave early at Committee meetings should not be paid for that meeting.

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The President asked the Chairmen to make sure that all the Committee members know and understand what is on the agenda. If Councillors cannot make a Committee meeting they should inform the Chairman of the Committee and let him know of their absence; if unable to contact the Chairman, they should call Ms. Rippy so a decision can be made if the meeting should be canceled. The President informed Councillor Ruhmkorff that when the Community Affairs Committee was formed, the purpose was to look into those affairs which were most important to communities. Chairmen do not have to wait for the government to lay something on the table, but can have their own agendas with ideas and issues that need to be looked into or discussed.

Councillor Jimison said that it is difficult to attend all of the meetings as they are presently scheduled because some meetings overlap. She does not think that Councillors should be in a position where they have to make a choice of which committee meeting to attend.

The President said that when there are ten committees and twenty-nine members and only five days in a week, it is difficult not to have some overlap, but every precaution is taken not to have this happen.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:18 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 3rd day of August, 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)