

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

REGULAR MEETINGS, MONDAY, JANUARY 27, 1986

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 7:05 p.m., on Monday, January 27, 1986, with Councillor SerVaas presiding.

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

ROLL CALL

Councillor SerVaas requested the members to indicate their presence. The Clerk took the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams

ABSENT: West

Twenty-eight members present, he announced a quorum was present.

INTRODUCTION OF GUESTS AND VISITORS

ADOPTION OF THE AGENDA

Consent was given to the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of January 27, 1986, as distributed.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

You are hereby notified that **REGULAR MEETINGS** of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, January 27, 1986, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

January 14, 1986

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 1, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Five Hundred Fifty Dollars (\$550) in the County General Fund for purposes of the Marion County Cooperative Extension Service and reducing certain other appropriations for the Marion County Auditor.

FISCAL ORDINANCE NO. 2, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Fifty-seven Thousand Six Hundred Fifty-five Dollars (\$57,655) in the County General Fund for purposes of the Marion County Clerk of the Circuit Court and Marion County Healthcare Center and reducing certain other appropriations for the Marion County Auditor.

FISCAL ORDINANCE NO. 3, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Three Hundred Seventy-one Thousand Nine Hundred Thirty-four Dollars (\$371,934) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 4, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Eight Thousand Eight Hundred Fifty Dollars (\$8,850) in the Prosecutor's Diversion Fund for purposes of the Marion County Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the Prosecutor's Diversion Fund.

FISCAL ORDINANCE NO. 5, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Fifty Thousand Dollars (\$50,000) in the Juvenile Probation Fees Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Juvenile Probation Fees Fund.

FISCAL ORDINANCE NO. 6, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Twenty-eight Thousand Two Hundred Fifteen Dollars (\$28,215) in the County General Fund for purposes of the Marion County Prosecuting Attorney, Marion County Superior Court, Juvenile Division and the Marion County Juvenile Detention Center and reducing certain other appropriations for the Marion County Auditor.

FISCAL ORDINANCE NO. 7, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Hundred Forty-five Thousand Four Hundred Sixteen Dollars (\$245,416) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 8, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) authorizing changes in the personnel compensation schedule (Section 2.01 of the Marion County Sheriff).

GENERAL ORDINANCE NO. 1, 1986, establishing certain risk management and liability funds.

GENERAL ORDINANCE NO. 2, 1986, providing for taxicab fare increases.

SPECIAL ORDINANCE NO. 1, 1986, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

GENERAL RESOLUTION NO. 1, 1986, approving a position evaluation and classification study for Marion County and township offices and agencies.

SPECIAL RESOLUTION NO. 1, 1986, in memory of Billy E. Copeland.

SPECIAL RESOLUTION NO. 2, 1986, in memoriam of Willie T. Smith.

SPECIAL RESOLUTION NO. 3, 1986, commending Amos Brown, WTLC Radio, Barbara Boyd and WRTV Channel 6 for their public service in assisting the Lou Rawls Parade of Stars.

SPECIAL RESOLUTION NO. 4, 1986, amending City-County Special Resolution No. 71, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 5, 1986, amending City-County Special Resolution No. 72, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 6, 1986, amending City-County Special Resolution No. 74, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 7, 1986, amending City-County Special Resolution No. 75, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 8, 1986, amending City-County Special Resolution No. 76, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 9, 1986, amending City-County Special Resolution No. 77, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 10, 1986, amending City-County Special Resolution No. 80, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 11, 1986, amending City-County Special Resolution No. 81, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 12, 1986, amending City-County Special Resolution No. 95, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 13, 1986, amending City-County Special Resolution No. 72, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 14, 1986, amending City-County Special Resolution No. 77, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 15, 1986, amending City-County Special Resolution No. 15, 1983 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 16, 1986, amending City-County Special Resolution No. 98, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 17, 1986, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE FIRE SPECIAL SERVICE DISTRICT 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 Fire Special Service District, Mrs. Beverly S. Rippey, the following ordinance:

FIRE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE NO. 1, 1986, concerning a merit system for members of the Indianapolis Fire Department.

Respectfully submitted,

s/William H. Hudnut, III

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of November 25, 1985. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 48, 1986. This proposal honors the Roncalli High School Class AAA State Football Champions. Councillors Miller, Coughenour, Borst and McGrath co-sponsored Proposal No. 48. Councillor Miller introduced Head Coach Bill Kuntz who was present to accept the resolution on behalf of Roncalli High School. Councillor Miller read the resolution and moved for its adoption, seconded by Councillor Borst. Proposal No. 48, 1986, was adopted by unanimous voice vote, retitled Special Resolution No. 18, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 18, 1986

A SPECIAL RESOLUTION honoring the Roncalli High School Class AAA State Football Champions.

WHEREAS, the Roncalli High School Rebels captured the 1985 Indiana High School Football Class AAA title with a 37-3 victory over Wawasee; and

WHEREAS, the Rebels capturing its first title in four appearances in the playoffs finished the season with a 13-1 record; and

WHEREAS, the Roncalli Rebels ended their 1985 football season with the most lopsided victory of any Class AAA finales in thirteen (13) years; now, therefore:

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

SECTION 1. The Indianapolis-Marion County City-County Council congratulates and recognizes Bill Stewart, Lance Finlinson, Paul Belch, Tony Farrell, George Apgar, Dan Hammerschmitt, Joe Kuntz, Nick Hillan, Jim Moylan, Pat McKenzie, Mike Irmer, Keith Hartman, Tom Roeder, Troy Minor, Mark Gaskill, Brian Turk, Joe Gillum, Bart Kleppe, Greg Roberts, Dan Finlinson, Chris Hartman, Mike Gillum, Greg Herndon, Curtis Keen, Tom Swelzy, Sean Laughlin, Phil Curtis, Jim Tracy, Joe Lawson, Andy Lemons, Judd Lawrie, Jim Ledbetter, Jeff Thomas, Dan Poore, Thad Sweizy, Bob Cross, Mark Evans, Marty Sedgwick, Jim Smith, Anthony Cooper, Eric Bilitz, Tony Cento, Dave Henn, Craig White, David Miller, John Sauer, Jim Padgett, Doug Bartram, Rick Dias, David Neu, Sean Weddle, Joe Kraeszig, Dan Diekhoff, Anthony Ferguson, Steve Clements, Phil Linder, Vince Romano, Todd Windmiller, Eric Schott, Mike Cento, Mike Caskey, Scott Kramer, John Dugan, Sean Brown, Greg Kaster, Mark Heisig, Ron Roembke, Doug Hagist, Kevin Lauck, Pat Taylor; and Student Trainers Patrick Gordon, Tom Finneran, Tony Stuckey.

SECTION 2. The Council further recognizes Principal Patricia J. Cox, Superintendent of Finances Bob Tully, Athletic Director and Head Coach Bill Kuntz, Assistant Coaches Mark Fellmeth, Joe Hollowell, Doug Opel, Bill Sylvester, Bob Tully, Duffy Hagist, Larry Craigie and Mike Guerrini, Chaplain Father Dave Coons, Team Doctor Dr. Tom Moran and Trainer Mert Prophet.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 49, 1986. This proposal reappoints Carl R. Andrews, Patricia Nickell and William Smith as members of the Marion County Juvenile Detention Center Advisory Board. Councillor Miller, sponsor of Proposal No. 49, read the resolution and moved for its adoption, seconded by Councillor Journey. Proposal No. 49, 1986, was adopted by unanimous voice vote, retitled Council Resolution No. 2, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 2, 1986

A COUNCIL RESOLUTION reappointing Patricia Nickell, William Smith and Carl Andrews to the Marion County Juvenile Detention Center Advisory Board.

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

SECTION 1. Pursuant to IC 31-6-9.5 the City-County Council hereby reappoints the following three (3) individuals as members of the Marion County Juvenile Detention Center Advisory Board:

**CARL R. ANDREWS
PATRICIA NICKELL
WILLIAM SMITH**

SECTION 2. The appointments made by this resolution are for terms ending December 31, 1987. The persons appointed by this resolution shall serve at the pleasure of the Council and until their respective successors are appointed and have qualified.

PROPOSAL NO. 50, 1986. This proposal reappoints members to various boards and commissions. Councillor Miller, sponsor of Proposal No. 50, 1986, read the resolution and moved for its adoption, seconded by Councillor Cottingham. Proposal No. 50, 1986, was adopted by unanimous voice vote, retitled Council Resolution No. 3, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 3, 1986

A COUNCIL RESOLUTION reappointing members to certain boards and commissions.

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

SECTION 1. As a member of the Marion County Liquor Board, the Council appoints:

BRUCE MELCHERT

SECTION 2. As a member of the City-County Administrative Board, the Council appoints:

WILLIAM MILLER

SECTION 3. As members of the Community Centers of Indianapolis Board, the Council appoints:

JESSE BABB CLARA JO GILLESPIE

SECTION 4. As members of the I.S.A. Board, the Council appoints:

ED BUCKLEY FAYE MOWERY DAN C. WHITMORE

SECTION 5. As a member of the Tax Adjustment Board, the Council appoints:

DWIGHT COTTINGHAM

SECTION 6. As members of the Audit Committee, the Council appoints:

RICHARD PAYNE CARLTON CURRY

SECTION 7. As members of the Cable Franchise Board, the Council appoints:

DON HARGADON TOM KRUDY

SECTION 8. As a member of the Equal Opportunity Advisory Board, the Council appoints:

ROBERTA ALLEN

SECTION 9. As members of the Metropolitan Development Commission, the Council appoints:

ROBERT I. SAMUELSON GEORGE M. BIXLER PAUL ROLAND

SECTION 10. As members of the Parks Board, the Council appoints:

RICHARD E. LAHR BARBARA E. O'LAUGHLIN

SECTION 11. As a member of the Public Safety Board, the Council appoints:

BEVERLY MUKES-GAITHER

SECTION 12. As a member of the Public Works Board, the Council appoints:

THOMAS O. HALE

SECTION 13. As members the Transportation Board, the Council appoints:

WILLIAM WAYNE BURKING HOWARD HOWE

SECTION 14. As members of the Board of Zoning Appeals I, the Council appoints:

JOANNA WALKER RICHARD T. HUNTER

SECTION 15. As members of the Board of Zoning Appeals II, the Council appoints:

HAROLD E. SMITH ROBERT O'BRIEN

SECTION 16. As members of the Board of Zoning Appeals III, the Council appoints:

STEVE H. BRIZENDINE BILL LOCEY

SECTION 17. The appointments made by this resolution are for terms ending December 31, 1986. The persons appointed by this resolution shall serve at the pleasure of the Council and until their respective successors are appointed and have qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 37, 1986. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the Office of Equal Opportunity from a section in the Legal Division to the Division of Equal Opportunity in the Department of Administration"; and the President referred it to the Administration Committee.

PROPOSAL NO. 38, 1986. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$477,000 in the Department of Administration, from the Legal Division to the newly created Division of Equal Opportunity for purposes of funding expenses associated with creating the new Division"; and the President referred it to the Administration Committee.

PROPOSAL NO. 39, 1986. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,000 for the Department of Administration, Office of the Director, to fund the Housing Authority's vehicle insurance which was not included in the 1986 Budget"; and the President referred it to the Administration Committee.

PROPOSAL NO. 40, 1986. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$50,000 for the Marion County Auditor to provide funds for the county personnel classification system"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 41, 1986. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$35,000 for the Warren Township Assessor to purchase software and hardware for a reassessment system"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 42, 1986. Introduced by Councillors Strader and Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION requesting that a program be prepared whereby the youth have the opportunity to display their automobiles in a safe and organized manner"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 43, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE amending the personnel schedule of the Presiding Judge of the Municipal Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 44, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for the fiscal year 1986-1987 and approving the actions of the Marion County Community Corrections Advisory Board concerning the 1986-1987 grant application to the State of Indiana, Department of Corrections "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 45, 1986. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Eugene G. Roach, M.D. as a member of the Public Safety Board"; and the President referred it to the Public Safety Committee.

PROPOSAL NO. 46, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing speed limit controls for portions of New York and Michigan Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 47, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by establishing bus stop zones within the central traffic district"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 57, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$467,635 for the Department of Public Safety, Metropolitan Emergency Communications Agency, to allow the Agency and its Commission to conduct planning activities with respect to a future county-wide emergency communications system"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 65, 1986. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Chapter 8 of the Code with regard to insurance requirements"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 51-56, 1986. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 9, 1986." No action was taken on Proposal Nos. 51-56, 1986, by the Council; and the proposals were deemed adopted. Proposal Nos. 51-56, 1986, were retitled REZONING ORDINANCE NOS. 11-16, 1986, and read as follows:

**REZONING ORDINANCE NO. 11, 1986 85-Z-206 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
8305 U.S. 31, INDIANAPOLIS**

B. William Armstrong requests the rezoning of 8.18 acres, being in the A-2 and C-4 districts, to the C-4 classification, to provide for the expansion and realignment of a commercial center.

**REZONING ORDINANCE NO. 12, 1986 85-Z-213 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

7802 NORTH SHADELAND AVENUE, INDIANAPOLIS

Phillip R. Duke & Associates, by Phillip A. Nicely, request the rezoning of approximately 35 acres, being in the A-1 district, to the C-S classification, to provide for office-storage service centers and high tech research, development and manufacturing.

**REZONING ORDINANCE NO. 13, 1986 85-Z-215 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

7150 MADISON AVENUE (REAR), INDIANAPOLIS

B. Charles Kerkhove, Jr., et.al. by Harry Kent Wick, request the rezoning of 1.4 acres, being in the A-2 district, to the C-1 classification, to provide for the construction of a 7,864 square foot office building.

**REZONING ORDINANCE NO. 14, 1986 85-Z-216 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22**

702 MASSACHUSETTS AVENUE, INDIANAPOLIS

Historic Chatam Block Partnership, by Donald E. Burdsall, requests the rezoning of 0.51 acre, being in the C-4 and I-3-U districts, to the CBD-2 classification, to provide for renovation of structures for retail and office use.

**REZONING ORDINANCE NO. 15, 1986 85-Z-217 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22**

1440 NORTH ILLINOIS STREET, INDIANAPOLIS

SSDH Associates, by Scott A. Lindquist, request the rezoning of 0.58 acre, being in the C-5 district, to the D-8 classification, to provide for the renovation of the existing structures for 20 condominiums.

**REZONING ORDINANCE NO. 16, 1986 86-Z-10 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

6750 EAST 75th STREET, INDIANAPOLIS

Heritage Park West Development, by John F. Kautzman, requests the rezoning of 0.25 acre, being in the A-2 district, to the C-2 classification, to provide for office use.

PROPOSAL NOS. 58-64, 1986. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 24, 1986." No action was taken on Proposal Nos. 58-64, 1986, by the Council; and the proposals were deemed adopted. Proposal Nos. 58-54, 1986, were retitled REZONING ORDINANCE NOS. 17-23, 1986, and read as follows:

**REZONING ORDINANCE NO. 17, 1986 85-Z-171 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
4550 BLUFF ROAD, INDIANAPOLIS**

W.R. Beach, Inc., by Michael J. Kias, requests the rezoning of 8.69 acres, being in the A-1 district, to the C-7 classification, to provide for the operation of a vehicle body repair shop and the outdoor storage of heavy equipment.

**REZONING ORDINANCE NO. 18, 1986 85-Z-203 (85-DP-12) LAWRENCE
TOWNSHIP
COUNCILMANIC DISTRICT NO. 5**

7901 SUNNYSIDE ROAD, INDIANAPOLIS

Compucom Development Corporation, by Thomas Michael Quinn, Jr., requests the rezoning of approximately 258 acres, being in the A-2 and SU-39 districts, to the D-P classification, to provide for a planned unit development which will include single-family and multi-family residential development and a neighborhood commercial center.

**REZONING ORDINANCE NO. 19, 1986 85-Z-220 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4**

5601 ALLISONVILLE ROAD, INDIANAPOLIS

Jubilee Properties, by Philip A. Nicely, request the rezoning of 20.82 acres, being in the D-P district, to the D-6 classification, to provide for multi-family residential development at a density of approximately 10 units per acre.

**REZONING ORDINANCE NO. 20, 1986 85-Z-221 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 9**

604 EAST 38th STREET, INDIANAPOLIS

Park Place Associates, by Harry F. McNaught, Jr., request the rezoning of 1.8 acres, being in the C-3 district, to the C-2 classification, to permit the redevelopment and reuse of former School 66 for multi-family residential and medical office use.

**REZONING ORDINANCE NO. 21, 1986 85-Z-222 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15**

1520 NORTH ARLINGTON AVENUE, INDIANAPOLIS

Pizza Hut of America, Inc., by David M. Brooks, requests the rezoning of 0.68 acre, being in the C-3 and D-7 districts, to the C-3 classification, to permit neighborhood retail use.

**REZONING ORDINANCE NO. 22, 1986 86-Z-4 (86-DP-1) LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5**

10080 EAST 79th STREET, INDIANAPOLIS

The Shorewood Corporation, by William F. LeMond, requests the rezoning of 16.99 acres, being in the A-2 district, to the D-P classification, to incorporate this acreage into the platting of Feathercove.

**REZONING ORDINANCE NO. 23, 1986 85-Z-141 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8
4150 LAFAYETTE ROAD, INDIANAPOLIS**

Bodner Properties, Limited, by Thomas Michael Quinn, Jr., requests the rezoning of 3.1 acres, being in the A-2 district, to the C-5 classification, to provide for the sale of automobiles and other vehicles.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 857, 1985. This proposal appropriates \$210,000 to purchase software for reassessment for the Marion County Auditor. Councillor Cottingham stated that the appropriation was to purchase software for all nine township assessors for the next reassessment. The County and Townships Committee, on January 8, 1986, recommended Proposal No. 857, 1985, Do Pass by a vote of 5-0. Councillor Cottingham moved, seconded by Councillor Coughenour, for adoption. The President called for public testimony at 7:23 p.m.

Warren Township Assessor Fred Monschein voiced opposition to the purchase of software from the Ohio-based firm, Cole-Layer-Trumble Co. ("CLT"). It was his opinion that the system was inadequate to perform needed calculations for the next reassessment and that not enough cost estimates were available on the proposed purchase from "CLT". Mr. Monschein added that his request to purchase a different computer system manufactured by Command, Inc. of Indianapolis was denied by the Information Services Agency Management Board.

Councillor Durnil asked Mr. Monschein if it was his understanding that the appropriation provided by Proposal No. 857, 1985, was for the license to use the software or the actual purchase of the software. Mr. Monschein replied that it was his understanding that the appropriation was for a license to use the software.

Councillor Bradley asked Mr. Monschein why he did not appear before the County and Townships Committee to voice his opinion on the proposed purchase of software from "CLT". Mr. Monschein stated that he had already discussed the matter at several I.S.A. Board meetings, a Rules and Policy Committee meeting of the Council, and in Marion County Superior Court No. 5. He did not attend the County and Townships Committee meeting because he considered it a waste of his time to do so because it was a "free for all".

Councillor Rhodes stressed that all nine township assessors should be on the same system for the reassessment and that in his opinion the "CLT" system is superior to the Command, Inc. system.

Perry Township Assessor Mary Gillum, speaking as President of the Marion County Township Assessors Association, stated that she and Wayne Township Assessor, Philip Hinkle, (Vice President of the Marion County Township Assessors Association) had been very active in the selection of the "CLT" system. She explained that the bid from "CLT" was rejected by the I.S.A. Board because it lacked technical information; however, she added that the bid could not have contained much technical information because not much was known at the time with regard to technical needs, and; therefore, the bid guidelines were weak. Mrs. Gillum added that the "CLT" system will provide an excellent records management system after the reassessment. Although the "CLT" system is not yet used in Indiana, Mrs. Gillum expressed confidence in the system because the assessors had viewed the system working in other states.

Councillor Durnil inquired if it was Mrs. Gillum's understanding that the appropriation was for the license to use the software or the purchase of the software. Mrs. Gillum responded that "it was her understanding that since the assessors cannot sell the software to be purchased it is for their use".

Councillor Page inquired why the assessors did not seek information regarding the system from Command, Inc. Mrs. Gillum answered that some information was obtained, such as the Command, Inc. system lacking flexibility. Also, Command, Inc. was not able to provide other modules needed in the future.

Councillor Page voiced opposition to the "CLT" system because there was not enough information about the costs of the system. Mrs. Gillum stated that the costs had not been defined because the "CLT" company will tailor the system to the assessors' needs. A second bid was not required since the assessors decided to have the system tailored to their needs.

There being no one else present to testify, President SerVaas called for the vote on Proposal No. 857, 1985, which was adopted on the following roll call vote; viz:

16 AYES: Borst, Bradley, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Holmes, Howard, McGrath, Miller, Rhodes, SerVaas, Shaw, and Strader

12 NAYS: Boyd, Clark, Dowden, Durnil, Hawkins, Journey, Nickell, Page, Rader, Schneider, Stewart, Williams

1 NOT VOTING: West

Proposal No. 857, 1985, was retitled FISCAL ORDINANCE NO. 9, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 9, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Hundred Ten Thousand Dollars (\$210,000) in the Reassessment Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the Reassessment 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 (a)(2) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to purchase software for reassessment.

SECTION 2. The sum of Two Hundred Ten Thousand Dollars (\$210,000) 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>COUNTY AUDITOR</u>	<u>REASSESSMENT FUND</u>
4. Capital Outlay	<u>\$210,000</u>
TOTAL INCREASE	\$210,000

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

	<u>REASSESSMENT FUND</u>
Unappropriated and Unencumbered Reassessment Fund	<u>\$210,000</u>
TOTAL REDUCTION	\$210,000

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

PROPOSAL NO. 862, 1985. This proposal appropriates \$1,014 for Superior Court, Civil Division, Room 4, to reclassify a position and salary. Councillor Dowden

explained that the Court's research assistant has been promoted to assistant court reporter. The Public Safety and Criminal Justice Committee on January 8, 1986, recommended Proposal No. 862, 1985, Do Pass As Amended by a 9-0 vote. The Committee's amendment was to reflect the \$1,014 being derived from the Maximum Per Classification column for the Bailiff's line item rather than the appropriation being derived from the County General Fund. The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 862, 1985, As Amended, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, Ser Vaas, Stewart, Williams*

NO NAYS:

3 NOT VOTING: *Shaw, Strader, West*

Proposal No. 862, 1985, As Amended, was retitled FISCAL ORDINANCE NO. 10, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) authorizing changes in the personnel compensation schedule (Section 2.01) of the Marion County Superior Court, Civil Division, Room 4.

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

SECTION 1. Section 2.01 (b)(17) of City-County Fiscal Ordinance No. 87, 1985, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(17) SUPERIOR COURT - CIVIL DIVISION - ROOM FOUR - Dept. 69

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	18,011	18,011
Bailiffs	2	17,808	35,616 <u>34,602</u>
REPORTER/ASSISTANT	1	17,486	17,486
Court Reporter/Secretary	1	20,982	20,982
<u>Assist. Court Reporter</u>	<u>1</u>	<u>18,500</u>	<u>18,500</u>
Master Commissioner	<u>1</u>	<u>14,619</u>	<u>14,619</u>
TOTAL	6		\$106,714

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

PROPOSAL NO. 868, 1985. This proposal appropriates \$4,475,000 for the Department of Public Works, Flood Control Division, to pay for the design and appraisal fees for various projects and the construction of the Bean Creek Project, Indiana Avenue storm sewer and the Lockfield Garden storm sewer. PROPOSAL NO. 869, 1985. This proposal appropriates \$1,970,000 for the Department of Public Works, Liquid Waste Processing Operations, for the construction of a sanitary sewer and lift station and to rehabilitate existing sewers in the Northwest Redevelopment Area. PROPOSAL NO. 870, 1985. This proposal appropriates \$1,200,000 for the Department of Public Works, Liquid Waste Processing Operations, for maintenance and refurbishment of the wastewater transportation system. Councillor Coughenour explained that all three proposals had received a Do Pass As Amended recommendation by the Public Works Committee on January 15, 1986; however, since the dollar amounts in all three proposals had been increased, additional legal advertising was necessary. Councillor Coughenour moved to postpone Proposal Nos. 868, 869 and 870, 1985, until the February 10, 1986, meeting of the Council. Consent was given.

SPECIAL ORDERS - UNFINISHED BUSINESS

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 792, 1985. This proposal designates a portion of Asbury Street as one-way. Councillor Strader sponsored the introduction of Proposal No. 792, 1985. Councillor Gilmer explained that the one-way direction was requested by area residents to hopefully protect youngsters in the area. Several residents of the area attended the Committee hearing to voice support for Proposal No. 792, 1985, and presented a petition containing twenty-seven signatures to the Committee. On January 15, 1986, the Transportation Committee recommended Proposal No. 792, 1985, Do Pass by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Strader, for adoption. Proposal No. 792, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams

NO NAYS

2 NOT VOTING: *Dowden, West*

Proposal No. 792, 1985, was retitled GENERAL ORDINANCE NO. 3, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 3, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated.

**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 29-166, One-way streets and alleys designated, be and the same is hereby amended by the addition of the following, to wit:

NORTHBOUND

Asbury Street, from Minnesota Street to Cottage Avenue

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

PROPOSAL NO. 859, 1985. This proposal approves certain actions with regard to real property of the Department of Parks and Recreation. Councillor Durnil explained that it was originally intended for the property (8501 S. Sherman Drive) to be included in the development of Smock Golf Course. At public hearings held in 1981 and 1982 by the Parks Board, it was determined that the property should not be developed in conjunction with the Golf Course and that it should be placed on the Department's "surplus" property list. The Parks and Recreation Committee on January 9, 1986, recommended Proposal No. 859, 1985, Do Pass by a 6-0 vote. Councillor Durnil moved, seconded by Councillor Rhodes, for adoption. Proposal No. 859, 1985, was adopted on the following roll call vote viz:

25 AYES: *Borst, Boyd, Bradley, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams*

NO NAYS

4 NOT VOTING: *Clark, Cottingham, Hawkins, West*

Proposal No. 859, 1985, was retitled SPECIAL RESOLUTION NO. 19, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 19, 1986

A **SPECIAL RESOLUTION** approving the sale of certain real estate of the Department of Parks and Recreation.

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

SECTION 1. The City-County council approves, pursuant to I.C. 36-1-11-3 the sale of the following property by the Department of Parks and Recreation:

<u>Location</u>	<u>Appraised Value</u>	<u>Auction Bid Lease Value</u>	<u>Public Hearing Date</u>
52 ± acres located the Southeast corner of 62nd Street and Moeller Road	\$90.00 per acre per year	\$90.00 per acre per year	June 25, 1981
224 ± acres located within Eagle Creek Park in 5 separate locations	\$90.00 per acre per year	\$90.00 per acre per year	July 8, 1982
<u>Location</u>	<u>Appraised Value</u>	<u>Sale Price</u>	<u>Public Hearing Date</u>
8501 S. Sherman Dr.	\$55,000.00	\$61,500.00	September 26, 1985

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

PROPOSAL NO. 867, 1985. This proposal approves the sale of certain real property of the Department of Public Works. Councillor Coughenour explained that the property was acquired in 1962 by the Flood Control Division to become part of the levee for Eagle Creek. The Public Works Board has determined that the property is no longer needed. Councillor Coughenour added that the money from the sale will revert back into the Flood Control General Fund. The Public Works Committee on January 15, 1986, recommended Proposal No. 867, 1985, Do Pass by a 6-0 vote. Councillor Coughenour moved, seconded by Councillor Boyd, for adoption. Proposal No. 867, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Bradley, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams*

NO NAYS

4 NOT VOTING: *Clark, Cottingham, Gilmer, West*

Proposal No. 867, 1985, was retitled SPECIAL RESOLUTION NO. 20, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 1986

A SPECIAL RESOLUTION approving the sale of certain real estate of the Department of Public Works.

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

SECTION 1. The City-County Council approves, pursuant to I.C. 36-1-11-3 the sale of the following property by the Department of Public Works:

<u>Location</u>	<u>Appraised Value</u>	<u>Sale Price</u>	<u>Public Hearing Date</u>
2600 W Minnesota St.	\$27,000.00	90% of \$27,000.00 or \$24,300.00	November 18, 1985

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

PROPOSAL NO. 872, 1985. This proposal amends the Code by changing parking controls on a portion of Georgia Street. Councillor Gilmer explained that the introduction of Proposal No. 872, 1985, was prompted by a previous ordinance which designated Georgia Street as a two-way street from Pennsylvania to West Streets. The change in parking regulations should permit better traffic flow. On January 15, 1986, Proposal No. 872, 1985, was recommended Do Pass by the Transportation Committee by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Curry, for adoption. Proposal No. 872, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Boyd, Bradley, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams*

NO NAYS

3 NOT VOTING: *Clark, Cottingham, West*

Proposal No. 872, 1985, was retitled GENERAL ORDINANCE NO. 4, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 4, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", changing parking controls on a portion of Georgia Street.

**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 deletion of the following, to wit:

Georgia Street, on the south side, from Pennsylvania Street to Delaware Street

SECTION 2. 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 deletion of the following, to wit:

Georgia Street, on the south side, from Pennsylvania Street to Delaware Street

Georgia Street, on the south side, from Capitol Avenue to a point 80 feet east of Capitol

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

PROPOSAL NO. 873, 1985. This proposal amends the Code by changing intersection controls at Craig and 82nd Streets. Councillor Gilmer explained that Proposal No. 873, 1985, authorizes the installation of a traffic signal at the intersection of Craig and 82nd Streets in the Castleton area. The Transportation Committee on January 15, 1986, recommended Proposal No. 873, 1985, Do Pass by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor McGrath, for adoption. Proposal No. 873, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Boyd, Clark, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams*

NO NAYS

4 NOT VOTING: *Bradley, Cottingham, Coughenour, West*

Proposal No. 873, 1985, was retitled GENERAL ORDINANCE NO. 5, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 5, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", changing intersection controls on a portion of Craig Street.

**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. 2	Craig St. & E. 82nd St.	E. 82nd 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>
6. Pg. 2	Craig St. & E. 82nd St.		SIGNAL

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

PROPOSAL NO. 20, 1986. This proposal amends G.O. 59, 1985, by transferring the public housing function to the City. Councillor Borst explained that most of the changes to G.O. 59, 1985, were very minor. In order to clarify that the City is assuming the public housing function and that it has designated the Division of Public Housing to perform these functions, one other amendment was to delete "Division of Housing" and inserting "City of Indianapolis". The amendments were recommended by both the Department of Metropolitan Development and City/County Legal Division. On January 8, 1986, the Metropolitan Development Committee recommended Proposal No. 20, 1986, Do Pass As Amended by a 5-0 vote. Councillor Borst moved, seconded by Councillor Miller, for adoption. Proposal No. 20, 1986, As Amended, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, Williams

1 NAY: Clark

4 NOT VOTING: Cottingham, Dowden, Schneider, West

Proposal No. 20, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 6, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 6, 1986

A GENERAL ORDINANCE amending provisions of City-County General Ordinance No.

59, 1985, with respect to the designation of the division of housing as the entity responsible for public housing in Indianapolis and Marion County.

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

SECTION 1. Sec. 2-227 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored and deleting the language cross-hatched to read as follows:

Sec. 2-227. Director; duties.

(a) The chief administrative officer of the department of metropolitan development is a director. The director is appointed by the mayor, with 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 serves at the pleasure of the mayor.

(b) 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 36-36-4(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 behalf;
- (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~~ 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 or 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 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:

- (1) 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;

(2) To report to the city-county council annually, or more frequently as the council may direct, on the operations of the division of housing with respect to public housing in Indianapolis and Marion County.

(d) The director shall also have all other powers and duties conferred by law or assigned by the mayor.

SECTION 2. Sec. 2-228 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored and deleting the language cross-hatched to read as follows:

Sec. 2-228. Division; duties.

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

- (a) Division of economic and housing development.
- (1) The division of economic and housing development shall be responsible for economic development and housing development.
- (2) Powers and duties of this division include:
 - a. Powers and duties conferred on the department of metropolitan development by IC 36-7-15.1; and
 - b. Powers and duties granted to the division of economic and housing development under Article III of Chapter 24 of the "Code of Indianapolis and Marion County, Indiana".
- (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. Powers and duties conferred on the enforcement authority by IC 36-7-9;
 - b. 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. Powers and duties which the division of code enforcement is authorized or required to carry out under the "Code of Indianapolis and Marion County, Indiana", including but not limited to powers and duties found in Chapters 14 and 17;
 - d. Powers and duties which the division of buildings is authorized or required to carry out under 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. 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. Enforce building regulations established by the administrative building council of the State of Indiana;
 - g. Initiate a review of the issuance of a certificate of appropriateness in accordance with IC 36-7-11.1-9(f);
 - h. Powers and duties conferred on the metropolitan planning department under section 7-2 of the "Code of Indianapolis and Marion County, Indiana"; ~~###~~
 - i. 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. 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;
- (3) The division shall also have other powers and duties conferred by law or assigned by the mayor.
- (c) Division of planning.
- (1) The division of planning is responsible 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.
- (2) Powers and duties of the division include:
- a. Accomplish land use and housing planning, economic and fiscal planning (including the preparation of a capital expenditure program), transportation planning, environmental and energy planning, and urban design and planning for projects, neighborhoods and open space and leisure systems;
 - b. Accomplish technical work in support of preparation of a comprehensive plan described in the 500 series of IC 36-7-4; and
 - c. Accomplish technical work in support of preparation of a thoroughfare plan as described in IC 36-7-4-406 and IC 36-7-5-3 and 6.
- (3) The division shall also have other powers and duties conferred by law or assigned by the mayor.
- (d) Division of housing.
- (1) The division of housing 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 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.
- (3) The division shall have the following additional duties and responsibilities:
- a. To acquire, lease, and operate housing projects;
 - b. To provide for the construction, reconstruction, improvement, alteration, or repair of all or any part of a housing project;
 - c. To acquire, lease, or rent any land, buildings, structures or facilities included in, or associated with, a housing project;

- d. To acquire any interest in real or personal property in any manner, including the power granted under IC 36-1-4-5;
- e. To dispose of any interest in real or personal property;
- f. To provide for the insurance of the property or the operations of the ~~division~~ division against risk or hazard;
- g. 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. To ~~provide for the insurance of the property or the operations of the division~~ receive approval from the metropolitan development commission prior to the acquisition by the division of any real property, and to provide for the insurance of the property or the operations of the division of both the proposed location and the general development plans;
- i. The division may also provide housing for persons engaged in national defense activities or for victims of a major disaster;
- j. The division shall also have all other powers and duties conferred by law or assigned by the mayor.

(e) Office of the director

- (1) The office of the director is responsible for providing administrative support for the 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.
- (3) This division shall also have other powers and duties conferred by law or assigned by the mayor.

SECTION 3. (a) The responsibilities, duties and authority of the Housing Authority of the City of Indianapolis, Indiana, to provide safe, sanitary and affordable dwelling accommodations for qualified persons of low and moderate income are hereby transferred to the City of Indianapolis which designates the division of housing, department of metropolitan development, as the agency responsible for performing the public housing function in Indianapolis and Marion County, in accordance with I.C. 36-7-181(1). ~~City of Indianapolis which designates the division of housing, department of metropolitan development, as the agency responsible for performing the public housing function in Indianapolis and Marion County, in accordance with I.C. 36-7-181(1).~~

(b) The ~~City of Indianapolis~~ City of Indianapolis hereby assumes all property, assets, personnel records, and contractual rights and obligations of the Housing Authority of the City of Indianapolis, Indiana, except such property, rights and obligations as adhere to the Housing Authority by virtue of Annual Contributions Contract C-970, executed between the Housing Authority of the City of Indianapolis, Indiana, and the U.S. Department of Housing and Urban Development. The ~~City of Indianapolis~~ City of Indianapolis will assume the property, contractual rights and obligations adhering under the Annual Contributions Contract by the execution of an Instrument of Assignment and Assumption of that Contract.

(c) The transfer of the public housing function from ~~the~~ The Housing Authority of the City of Indianapolis, Indiana, to ~~the City of Indianapolis, Indiana, shall not act so as to impair any existing contractual rights or obligations of the Housing Authority, or of any~~ the ~~City of Indianapolis, Indiana, shall not act so as to impair any existing contractual rights or obligations of the Housing Authority, or of any~~ City of Indianapolis, Indiana, shall not act so as to impair any existing contractual rights or obligations of the Housing Authority, or of any

entity with which the Housing Authority has a valid and existing agreement as of the effective date of this transfer.

SECTION 4. City-County General Ordinance No. 59, 1985, is amended by inserting a new **SECTION 8** to read as follows:

SECTION 8. The jurisdiction of the City of Indianapolis as a qualified public housing agency shall be in accordance with the jurisdiction previously established in accordance with I.C. 36-7-18-41.

SECTION 5. **SECTION 8** of City-County General Ordinance No. 59, 1985, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

SECTION 8/ 8.5. The Housing Authority of the City of Indianapolis, Indiana, previously established by the Common Council of the City of Indianapolis in accordance with I.C. 36-8-7-18 to operate and administer safe and sanitary dwelling accommodations for persons of low income, shall cease to exist after December 31, 1985. The ~~Authority of the City of Indianapolis~~ City of Indianapolis shall succeed the Housing Authority in its duties to operate safe and sanitary dwelling accommodations for persons of low and moderate income, and shall thus be the "successor agency" to the Housing Authority.

SECTION 6. **SECTION 10** of City-County General Ordinance No. 59, 1985, is amended by inserting the language underscored and deleting the language crosshatched to read as follows:

SECTION 10. (a) Should any provision (section, paragraph, sentence, clause, or any 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.

(b) In the event the ~~division of the City of Indianapolis~~ City of Indianapolis should fail to meet the criteria for a "qualified public housing agency", or if for any other reason the Department of Housing and Urban Development refuses to recognize the ~~City of Indianapolis~~ City of Indianapolis as the successor agency to the Housing Authority, this ordinance shall cease to be in effect.

SECTION 7. Should any provision (section, paragraph, sentence, clause, or any 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. 21, 1986. This proposal amends the Code concerning the fire prevention ordinance, specifically the appointment of the fire prevention bureau chief. Councillor Dowden explained that Proposal No. 21, 1986, would allow the

appointing authority to be the Chief of the Indianapolis Fire Department rather than the Public Safety Board. Another change is to have the established minimal rank for eligibility as permanent rank of captain rather than the current regulation which establishes the minimal rank for eligibility as that of division chief. On January 8, 1986, Proposal No. 21, 1986, was recommended Do Pass by the Public Safety and Criminal Justice Committee by a 7-0 vote. Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 21, 1986, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams*
2 NAYS: *Boyd, Howard*
2 NOT VOTING: *Gilmer, West*

Proposal No. 21, 1986, was retitled GENERAL ORDINANCE NO. 7, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 7, 1986

A GENERAL ORDINANCE concerning the Chief of the City's bureau of fire prevention.

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

SECTION 1. Sec. 12-47 of the Code of Indianapolis and Marion County is hereby amended by inserting the words underscored and deleting the words crosshatched to read as follows:

Sec. 12-47. Organization of the city bureau.

~~(A) / / The chief of the bureau of fire prevention in the Indianapolis fire department shall be appointed by the chief of the department from among members of the department holding the permanent merit rank of captain or above. Such appointment shall be subject to the approval of the fire merit board.~~

(a) The chief of the bureau of fire prevention in the Indianapolis fire department shall be appointed by the chief of the department from among members of the department holding the permanent merit rank of captain or above. Such appointment shall be subject to the approval of the fire merit board.

~~(b) / / The chief of the bureau of fire prevention in the Indianapolis fire department shall be appointed by the chief of the department from among members of the department holding the permanent merit rank of captain or above. Such appointment shall be subject to the approval of the fire merit board.~~

TECHNICAL ASSISTANTS OF THE FIRE DEPARTMENT MAY BE EMPLOYED IN THE
SAME MANNER AS IS PROVIDED BY LAW FOR OTHER CITY EMPLOYEES.

(b) The chief of the department shall detail such other qualified, regular members of the fire department as may be necessary for the efficient operation of the bureau. Technical inspectors or clerical assistants may be employed by the bureau in the same manner as is provided by law for other city employees.

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

PROPOSAL NO. 23, 1986. This proposal amends the Code by establishing a loading zone for a portion of Virginia Avenue. Councillor Gilmer explained that the new twenty-five foot loading zone would be used by Peter's Restaurant. The Transportation Committee on January 15, 1986, recommended Proposal No. 23, 1986, Do Pass by a 6-0 vote. Councillor Gilmer moved, seconded by Councillor Curry, for adoption. Proposal No. 23, 1986, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams
NO NAYS

3 NOT VOTING: Gilmer, Howard, West

Proposal No. 23, 1986, was retitled **GENERAL ORDINANCE NO. 8, 1986**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 8, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", establishing a loading zone for a portion of Virginia Avenue.

**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 materials loading zones, be, and the same is hereby amended by the addition of the following, to wit:

Virginia Avenue, on the northeast side, from a point 207 feet south of Grove Street to a point 232 feet south of Grove Street.

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

PROPOSAL NO. 24, 1986. This proposal amends the Code by changing parking control regulations for a portion of Alabama Street. Councillor Gilmer stated that Proposal No. 24, 1986, authorizes the installation of approximately six parking meters on this portion of Alabama Street (between Ohio and Market Streets). The meters were removed during the construction of Two Market Square Building. The Transportation Committee on January 15, 1986, recommended Proposal No. 24, 1986, Do Pass As Amended by a 6-0 vote. The amendment was to change the footage affected by the regulation from 184 feet to 169 feet. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 24, 1986, As Amended, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, Williams*

NO NAYS

2 NOT VOTING: *Howard, West*

Proposal No. 24, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 9, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 9, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", changing parking control regulations on a portion of Alabama Street.

**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 deletion of the following, to wit:

(7) Any privately owned vehicle used in transporting a person, who is a patron of the City Market, may park for one hour from 8:00 a.m. to 6:00 p.m. on any day in the following locations:

Alabama Street, on the west side, from a point 31 feet south of the south curbline of Ohio Street to a point 119 feet south of the south curbline of Ohio Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

**ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.**

Alabama Street, on the west side, from a point 140 feet south of Ohio Street to North Street.

SECTION 3. 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:

(7) Any privately owned vehicle used in transporting a person, who is a patron of the City Market, may park for one hour from 8:00 a.m. to 6:00 p.m. on any day in the following locations:

Alabama Street, on the west side, from Ohio Street to a point 169 feet south of Ohio Street.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 6:00 a.m. to 9:00 a.m. and**

from 3:00 p.m. to 6:00 p.m.

Alabama Street, on the west side, from North Street, to Ohio Street.

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

ONE HOUR

Alabama Street, on the west side, from Ohio Street to a point 169 feet south of Ohio Street.

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

President SerVaas explained that Councillor Strader, sponsor of Proposal No. 871, 1985, has informed him that since no action is anticipated on Proposal No. 871, 1985, it should be Stricken. In accordance with Councillor Strader's request, Proposal No. 871, 1985, was Stricken by Consent.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Borst announced that the Metropolitan Development Committee would meet at 4:00 p.m. on Wednesday, January 29, 1986.

There being no further business, upon motion duly made and seconded the meeting adjourned at 8:40 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 27th day of January, 1986.

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)