

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

**REGULAR MEETINGS  
MONDAY, MAY 11, 1987**

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, May 11, 1987, with Councillor SerVaas presiding. Councillor Strader 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:

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

President SerVaas announced that a quorum of twenty-seven members 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 May 11, 1987, 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:

*Journal of City-County Council*

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, May 11, 1987, 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  
Beurt SerVaas, President  
City-County Council

April 28, 1987

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, April 30, 1987, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 237, 238, 239, 240, 242, 243 and 244, 1987, to be held on Monday, May 11, 1987, at 7:00 p.m., in the City-County Building.

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

May 6, 1987

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 53, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Six Hundred Forty-Five Thousand Dollars (\$645,000) 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. 54, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Sixty Thousand Dollars (\$60,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Eagle Creek Division, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 55, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Fifty-Five Thousand Dollars (\$55,000) in the Park General

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Fund for purposes of the Department of Parks and Recreation, Parks Management Division, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 56, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Fifty-Five Thousand Dollars (\$55,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Recreation and Sports Facilities Division, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 57, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Two Thousand Five Hundred Fifty Dollars (\$2,550) in the Supplemental Adult Probation Fees Fund for purposes of the Superior Court, Criminal Division, Probation Department, and reducing the unappropriated and unencumbered balance in the supplemental Adult Probation Fees Fund.

FISCAL ORDINANCE NO. 58, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Ten Thousand Dollars (\$10,000) in the County General Fund for purposes of the Marion County Law Library and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 59, 1987, amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Five Hundred Dollars (\$500) in the Consolidated County Fund for purposes of the Department of Public Safety, Weights and Measures Division, and reducing certain other appropriations for that Division.

GENERAL ORDINANCE NO. 30, 1987, concerns the County Corrections Fund.

GENERAL ORDINANCE NO. 31, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of Intersection controls.

GENERAL ORDINANCE NO. 32, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-270, Parking prohibited during specified hours on certain days.

GENERAL ORDINANCE NO. 33, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-283, Parking meter zones designated, Section 29-166, One way streets and alleys designated and Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

GENERAL ORDINANCE NO. 34, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

GENERAL ORDINANCE NO. 35, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 36, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones. GENERAL ORDINANCE NO. 37, 1987, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL RESOLUTION NO. 28, 1987, requests the reconvening of the City-County Council Public Housing Ad-Hoc Committee for the purpose of receiving a status report on public housing in Indianapolis.

SPECIAL RESOLUTION NO. 29, 1987, authorizes the Mayor of Indianapolis to enter into an interlocal cooperation agreement with various other public safety agencies in Marion County for the purpose of forming a hazardous materials response team.

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SPECIAL RESOLUTION NO. 30, 1987, supports the Metropolitan Development Commission delay its proceedings regarding the City Market.

SPECIAL RESOLUTION NO. 31, 1987, approves the lease of certain real estate of the Department of Parks and Recreation.

Respectfully submitted,  
s/William H. Hudnut, III  
William H. Hudnut, III

May 6, 1987

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE POLICE 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 Police Special Service District, Mrs. Beverly S. Rippey, the following ordinance:

FISCAL ORDINANCE NO. 3, 1987, amends the Police Special Service District Annual Budget for 1987 (Police Special Service District Fiscal Ordinance No. 3, 1986) appropriating an additional Two Hundred Eighty-two Thousand Seven Hundred Ninety-eight Dollars (\$282,798) in the Police Special Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Special Service District Fund.

Respectfully submitted,  
s/William H. Hudnut, III  
William H. Hudnut, III

### **ADOPTION OF JOURNALS**

President SerVaas called for additions or corrections to the Journal of December 15, 1986. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 248, 1987, recognizes Public Works Department Director Barbara Gole for being selected one of the top ten leaders of 1987 by the American Public Works Association. Proposal No. 248, was co-sponsored by Councillors Coughenour and West. Councillor Coughenour read the resolution, presented a framed copy to Mrs. Gole and moved for its adoption.

Mrs. Gole stated she was pleased to receive this honor and appreciated the opportunity of working with the City-County Council.

Proposal No. 248, 1987, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 27, 1987, and reads as follows:

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CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1987

A SPECIAL RESOLUTION recognizing Barbara Gole as one of the top ten Public Works Directors in the nation in 1987 as selected by the American Public Works Association.

WHEREAS, the American Public Works Association is a national organization represented by cities throughout North America; and

WHEREAS, the American Public Works Association's Top Ten Public Works Leaders of the Year program is designed to call national and international attention to those individuals whose excellence and dedication reflect the highest standards of professional conduct for public works officials; and

WHEREAS, Barbara Gole, Director of the Indianapolis Department of Public Works, has been selected as one of the top ten leaders of 1987 for her institution of comprehensive programs to improve and protect the communities environment and infrastructure; now, therefore:

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

SECTION 1. The Indianapolis City-County Council hereby recognizes and honors Barbara Gole for her selection by the American Public Works Association as one of the Top Ten Public Works Leaders of 1987.

SECTION 2. The Council further takes this opportunity to express to Ms. Gole its appreciation for the outstanding service she has performed for all of the citizens of Indianapolis and Marion County.

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. 281, 1987, honors Perry Meridian High School's 1987 Brain Game Championship Team. Proposal No. 281, was co-sponsored by Councillors Borst and McGrath. Councillor Borst read the resolution and presented a framed copy to the school's principal, Dr. James Head. Councillor Borst moved, seconded by Councillor McGrath for its adoption. Proposal No. 281, 1987, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 32, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1987

A SPECIAL RESOLUTION honoring Perry Meridian High School's 1987 Brain Game Championship Team.

WHEREAS, the Perry Meridian High School Brain Game Team won the 1987 WTHR Channel 13 High School Brain Game Television Championship; and

WHEREAS, this is the sixth year of competition for Perry Meridian in the game; and

WHEREAS, this is another championship for team members Dave Stone, Randy Head, Pete Miller, Laura Bennett and David Kinsey; and

WHEREAS, this is the third consecutive year that Perry Meridian has achieved this academic honor; and

WHEREAS, with this win Perry Meridian retires the traveling trophy; now, therefore:

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

SECTION 1. The City-County Council honors and congratulates Perry Meridian High School's 1987 Brain Game Champions: Team Captain Dave Stone, Randy Head, Barbara Bennett, Pete Miller, Laura Bennett and David Kinsey; and Team Sponsors David Moulton and JoAnne Brown.

SECTION 2. The City-County Council recognizes this achievement for its example of academic excellence.

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. 282, 1987, honors Southport High School for being Indiana's nominee for the National Secondary Recognition Award. Proposal No. 282, was co-sponsored by Councillors Borst, Coughenour, Miller and McGrath. Councillor Borst read the resolution and presented a framed copy to the school's principal, Dr. Lloyd L. Bodie. Councillor Borst moved, seconded by Councillor McGrath for its adoption. Proposal No. 282, 1987, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 33, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1987

A SPECIAL RESOLUTION honoring Southport High School for being Indiana's nominee for the National Secondary Recognition Award.

WHEREAS, Southport High School has been honored by the Indiana Department of Education for its outstanding academic achievements; and

WHEREAS, Southport High School has received Indiana's nomination for the National Secondary Education Award; and

WHEREAS, Southport High School has a strong tradition of academic excellence; now, therefore:

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

SECTION 1. The Indianapolis City-County Council hereby recognizes and honors Southport High School for its nomination for the National Secondary Education Award.

SECTION 2. The Council further recognizes Ms. Mary Lou Schenck, Dr. Lloyd L. Bodie, Dr. Raymond Fatheree, Dr. William Hohlt and the Reverend James Dye for their efforts in support and on behalf of Southport High School.

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. Mrs. Barbara Gole, Director, presented Council members with information concerning the North Side Sewers and Fall Creek Interceptor Status Report.

Mrs. Gole indicated that the interceptors were constructed in the 1960's to serve Williams Creek, Nora and Castleton areas. The Northside growth has been tremendous and by the late 1970's the lift station was at a capacity.

Mrs. Gole explained that wet weather flows arriving at the lift station exceed eighteen million gallons per day and the lift station design capacity is thirteen million gallons per day. The sewer receiving the lift station discharge has capacity for only six million gallons per day during wet weather.

During wet weather, the excess flow backs up into basements and runs across people's yards into the White River.

In 1986, the Department issued a Sanitary District Bond which included seventeen million to identify sources of clear water, construct necessary corrections and eliminate the "bottleneck" at the Evanston Avenue Lift Station.

Mr. Steve Nielson, Administrative Engineer, gave a slide presentation of their findings from field investigations.

[Clerk's Note: Councillor Rhodes arrived in the Council Chambers at 7:35 p.m.]

Mr. Nielson explained that the department is proposing changes to Chapter 27 of the Sewage and Sewage Disposal Ordinance and is adding a new article. Councillor Shaw

expressed concern for the persons who have installed sewers illegally. Mrs. Gole indicated that such sewers will be corrected and the new ordinance will provide the Department of Public Works with the authority to grant or deny permits for the construction of sewers that will connect to the Indianapolis Sanitary District wastewater collection system. Councillor Page stated he had some concerns with the enforcement of the new proposed changes. He indicated that legitimate contractors are concerned that they will have to dig up these sewers to prove they are in compliance with the Department of Public Works. Councillor Rhodes commended the Department for working with the Builders Association of Indiana.

### INTRODUCTION OF PROPOSALS

PROPOSAL NO. 263, 1987. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ruby Miller to the Administration Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 264, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$27,522 for the County Auditor for fringe benefits for all of the townships additional personnel for reassessment"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 265, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$44,106 for the Center Township Assessor to fund personal services and other services to perform assessments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 266, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,000 for the Decatur Township Assessor to fund personal services to perform reassessments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 267, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,500 for the Franklin Township Assessor to fund personal services and equipment purchases to perform reassessments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 268, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,000 for the Lawrence Township Assessor to fund personal services to perform reassessments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 269, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,500 for the Perry Township Assessor to fund personal services and supplies to perform reassessments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 270, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$16,500

for the Pike Township Assessor to fund personal services and supplies to perform reassessments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 271, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$31,500 for the Washington Township Assessor to fund personal services and supplies to perform reassessments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 272, 1987. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$31,500 for the Wayne Township Assessor to fund personal services and supplies to perform reassessments"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 273, 1987. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE concerning transient merchant licensing"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 274, 1987. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$2,000 for the Superior Court, Civil Division, Room 6, to transfer funds to the correct account for carpet installation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 275, 1987. Introduced by Councillors Giffin and Curry. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION designating certain areas of the public assembly room as smoking areas "; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 276, 1987. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the code with regard to parking control changes on Mickley Avenue from the 800 to 1000 block south"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 277, 1987. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code with regard to parking control changes in the Mile Square between Ohio Street and North Street and between Senate Avenue and East Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 278, 1987. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing loading zone regulations for a portion of Pennsylvania Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 279, 1987. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE concerning the wearing of headphones"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 280, 1987. Introduced by Councillor Bradley. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code



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by authorizing intersection control changes at Alton Avenue and North Street"; and the President referred it to the Transportation Committee.

### SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 261, 1987. This proposal is a resolution extending the expiration date contained in an inducement resolution adopted in July 1985, for Fletcher Place Properties, an Indiana limited partnership. Councillor Schneider stated that Proposal No. 261, is a technical extension changing the expiration date to December 31, 1987. The project was a restoration of two structures, containing fifty housing units, located at 500 Fletcher Avenue. The Economic Development Committee on May 6, 1987, recommended Proposal No. 261, 1987, Do Pass by a 3-0 vote. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 261, 1987, was adopted on the following roll call vote; viz:

*22 YEAS: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Rader, Rhodes, Schneider, SerVaas, Strader*

*0 NAYS*

*7 NOT VOTING: Durnil, Nickell, Page, Shaw, Stewart, West, Williams*

Proposal No. 261, 1987, was retitled SPECIAL RESOLUTION NO. 34, 1987, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1987

A SPECIAL RESOLUTION amending City-County Special Resolution No. 109, 1985 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 109, 1985 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Fletcher Place Properties, an Indiana Limited Partnership (the "Company") which Inducement Resolution set an expiration date of May 31, 1987 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution: and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of May 31, 1987 contained therein and replacing said date with the date of December 31, 1987.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 262, 1987. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing

for Tube Processing Corporation in an approximate amount of \$2,500,000. Councillor Howard expressed concerns with Tube Processing Corporation's hiring of qualified minorities in the Center Township area. Councillor Howard stated that agencies such as Partners 2000 should be contacted before seeking employment at seven other surrounding counties. Councillor Stewart stated that Tube Processing Corporation indicated that they were in need of only "skilled" workers. Councillor Strader said that he was not comfortable with singling out one company concerning the issue of minority hiring practices. Councillor McGrath suggested that representatives from Tube Processing should come before the Council and explain their employment practices. Councillor Clark expressed that the City-County Council has the moral responsibility to the community; however, does not feel that they should single out one corporation. Councillor Howard stated that the City-County Council should look at each company to make sure they have effective Affirmative Action plans. Councillor Schneider explained that the Economic Development Committee on May 6, 1987, recommended Proposal No. 262, 1987, Do Pass by a 4-1-0 vote. Councillor Schneider moved, seconded by Councillor Dowden for passage. Proposal No. 262, 1987, was adopted on the following roll call vote; viz:

18 YEAS: *Borst, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Holmes, McGrath, Miller, Nickell, Rader, Schneider, SerVaas, Stewart*  
8 NAYS: *Boyd, Hawkins, Howard, Journey, Shaw, Strader, West, Williams*  
3 NOT VOTING: *Dumil, Page, Rhodes*

Proposal No. 262, 1987, was retitled SPECIAL RESOLUTION NO. 35, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 1987

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Tube Processing Corp. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, renovate, and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, renovation and equipping of an existing facility containing approximately 160,000 square feet located at 604 East LeGrande, Indianapolis, Indiana on approximately 12 acres of land which will be used by the Aero-Fab Division of the Applicant for the development and manufacturing of aircraft components: the acquisition, construction, installation and equipping of various site improvements at the facility: and the acquisition of machinery, equipment, fixtures and furnishing for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 30 at the end of one year and 71 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

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

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SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$2,500,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof: provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant: (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds provided that at the time of the proposed issuance of such bonds the aggregate amount of private purpose bonds issued pursuant to such issue when added to the aggregate amount of private purpose bonds previously issued during that calendar year will not exceed the private purpose bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private purpose bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private purpose bonds and have received inducement resolutions and that no portion of such private purpose bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires December 31, 1987 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NOS. 283 - 292, 1987. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 8, 1987". The Council did not schedule Proposal Nos. 283 - 292, 1987, for hearing pursuant to IC 36-7-4-608. Proposal Nos. 283 - 292, 1987, were retitled REZONING ORDINANCE NOS. 87 - 96, 1987, take effect thirty days after the respective certification, and read as follows:

REZONING ORDINANCE NO. 87, 1987. 87-Z-43 PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 2  
7409 MICHIGAN ROAD, INDIANAPOLIS.

Alan Jay Bier, by Stephen A. Backer, requests the rezoning of 0.25 acre, being in the D-5 district, to the C-1 classification, to provide for the conversion of a residence into offices.

REZONING ORDINANCE NO. 88, 1987. 87-Z-57 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 9  
131 WEST 38TH STREET, INDIANAPOLIS.

38th & Kenwood Associates request the rezoning of 0.53 acre, being in the D-5 district, to the C-S classification, to provide for the construction of a discount general store.

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REZONING ORDINANCE NO. 89, 1987. 87-Z-65 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
7610, 7620 MADISON AVENUE, INDIANAPOLIS.  
Richard D. Hall, ET AL., by Ray Good, request the rezoning of 2.47 acres, being in the A-2 district to the C-1 classification, to provide for office use.

REZONING ORDINANCE NO. 90, 1987. 87-Z-67 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
1953 EAST TROY AVENUE, INDIANAPOLIS.  
Mark A. Belcher requests the rezoning of 0.75 acre, being in the D-4 district, to the C-5 classification, to provide for auto sales and repair pursuant to variance petition 86-UV2-118.

REZONING ORDINANCE NO. 91, 1987. 87-Z-68 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 8  
1652 NORTH GEORGETOWN ROAD, INDIANAPOLIS.  
Robert P. & Mary L. Beaudry, by Louis H. Borgmann, request the rezoning of 1.23 acres, being in the C-S district, to the C-4 classification, to conform zoning to its use as a silkscreening and printing business.

REZONING ORDINANCE NO. 92, 1987. 87-Z-70 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
5416 SOUTH EAST STREET, INDIANAPOLIS.  
McDonald's Corporation, by Harry F. McNaught, Jr., requests the rezoning of approximately 2.45 acres, being in the C-2 and C-3 districts, to the C-3 classification, to conform zoning to its use as a restaurant.

REZONING ORDINANCE NO. 93, 1987. 87-Z-71 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
8310 WEST WASHINGTON STREET, INDIANAPOLIS.  
Greg A. & Sandra J. Dotson request the rezoning of 1.25 acres, being in the A-2 district, to the C-3 classification, to provide for retail development.

REZONING ORDINANCE NO. 94, 1987. 87-Z-72 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
5050 SOUTH EAST STREET, INDIANAPOLIS.  
Craig E. Fenneman, by Steven C. Robinson, requests the rezoning of 1.21 acres, being in the D-3 district, to the C-1 classification, to provide for office use.

REZONING ORDINANCE NO. 95, 1987. 87-Z-74 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 21  
611 VIRGINIA AVENUE, INDIANAPOLIS.  
Nexus Development Corporation, by Michael J. Kias, requests the rezoning of 0.54 acre, being in the I-3-U district, to the D-8 classification, to provide for the development of condominiums.

REZONING ORDINANCE NO. 96, 1987. 87-Z-75 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
8009 WEST WASHINGTON STREET, INDIANAPOLIS.  
Metropolitan Development Commission requests the rezoning of 4.81 acres, being in the D-3 district, to the C-5 classification, to correct a mapping error relating to rezoning petition 76-Z-91.

**SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 192, 1987, appropriates \$41,064 for the Cooperative Extension Service and the Marion County Guardian Home for a December 31, 1987, payroll, rather than January 1, 1988, which falls on a Holiday. PROPOSAL NO. 193, 1987, appropriates \$641,049 for the Agencies listed in Section Three for a December 31, 1987, payroll, rather than January 1, 1988, which falls on a Holiday. PROPOSAL NO. 194, 1987, appropriates \$2,367 for the County Auditor and the Warren Township Assessor for a December 31, 1987, payroll, rather than January 1, 1988, which falls on a Holiday. PROPOSAL NO. 195, 1987, appropriates \$1,148 for the County Surveyor for a December 31, 1987, payroll, rather than January 1, 1988, which falls on a Holiday. PROPOSAL NO. 208, 1987, appropriates \$14,281 for the Presiding Judge of the Municipal Court for a December 31, 1987, payroll, rather than January 1, 1988, which falls on a Holiday. PROPOSAL NO. 209, 1987, appropriates \$47,085 for the Superior Court, Criminal Division, Probation Department for a December 31, 1987, payroll, rather than January 1, 1988, which falls on a Holiday. PROPOSAL NO. 210, 1987, appropriates \$1,523 for the Superior Court, Juvenile Division, for a December 31, 1987,

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payroll, rather than January 1, 1988, which falls on a Holiday. PROPOSAL NO. 211, 1987, appropriates \$16,824 for the Prosecuting Attorney for a December 31, 1987, payroll, rather than January 1, 1988, which falls on a Holiday. PROPOSAL NO. 212, 1987, appropriates \$1,153,185 for the Agencies listed in Section Three for a December 31, 1987, payroll, rather than January 1, 1988, which falls on a Holiday. Councillor Miller stated that he and the County Auditor, Curt Coonrod have discussed establishing a better way in which to handle the additional payroll. Councillor Miller moved, seconded by Councillor Cottingham to Postpone Proposal Nos. 192, 193, 194, 195, 208, 209, 210, 211, and 212, 1987, until June 8, 1987. By Consent the motion carried.

PROPOSAL NO. 237, 1987, appropriates \$398,000 for the County Auditor to loan poor relief funds to Washington Township and Lawrence Township. PROPOSAL NO. 238, 1987, appropriates \$35,000 for the County Recorder to fund four additional employees for the Marion County Recorder's Office to meet increased volume. PROPOSAL NO. 239, 1987, appropriates \$19,545 for the Lawrence Township Assessor to add part-time employees and equipment to handle increased work volume. Councillor Cottingham explained that Proposal Nos. 237, 238 and 239, 1987, had not been heard in Committee and requested they be Postponed in Council until June 8, 1987. Consent was given.

PROPOSAL NO. 240, 1987, appropriates \$147,500 for the County Auditor to increase the appropriation for the jail inmates' contract. Councillor Dowden indicated that Proposal No. 240, had not been heard in Committee and requested it be Postponed in Council until June 8, 1987. Consent was given.

PROPOSAL NO. 242, 1987. This proposal appropriates \$65,332 for the Marion County Justice Agency to cover the costs of additional programming staff to complete various systems necessary to the first phase of the JUSTIS project. Councillor Dowden stated that there was an administrative error made and that the money was originally appropriated to the Prosecutor's Office instead of the Justice Agency. When the Department realized what had happened, they decided to keep the Contractual part of the money in the Prosecutor's Office for projects, and to submit another proposal to transfer the Personal Services portion for hiring programmers. The Public Safety and Criminal Justice Committee on April 29, 1987, recommended Proposal No. 242, 1987, Do Pass by a 6-0 vote. The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 242, 1987, was adopted on the following roll call vote; viz:

*25 YEAS: Borst, Boyd, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

*0 NAYS*

*4 NOT VOTING: Bradley, Durnil, Howard, Williams*

Proposal No. 242, 1987, was retitled FISCAL ORDINANCE NO. 60, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Sixty-five Thousand Three Hundred Thirty-two Dollars (\$65,332) in the Prosecutor's Diversion Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for the Prosecuting Attorney.

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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 (c)(8) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Marion County Justice Agency to cover the costs of additional programming staff to complete various systems necessary to the first phase of the JUSTIS project.

SECTION 2. The sum of Sixty-five Thousand Three Hundred Thirty-two Dollars (\$65,332) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>PROSECUTOR'S DIVERSION FUND</u>
1. Personal Services	\$65,332
TOTAL INCREASE	\$65,332

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

<u>PROSECUTING ATTORNEY</u>	<u>PROSECUTOR'S DIVERSION FUND</u>
1. Personal Services	\$65,332
TOTAL REDUCTION	\$65,332

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

PROPOSAL NO. 243, 1987. This proposal appropriates \$10,400 for the Presiding Judge of the Municipal Court for training materials for NCTI, for PC supplies, training for probation officers and accreditation. Councillor Dowden stated that the appropriation will provide for obtaining workbooks and training materials for setting up group sessions, in order to assist Probation Officers in handling the increased workload and also to purchase personal computer supplies.

The Public Safety and Criminal Justice Committee on April 29, 1987, recommended Proposal No. 243, 1987, Do Pass by a 6-0 vote. The President called for public testimony at 8:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 243, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 243, 1987, was retitled FISCAL ORDINANCE NO. 61, 1987, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 61, 1987

A FISCAL ORDINANCE amending the City-County Annual Budget for 1987 (City-County Fiscal Ordinance No. 89, 1986) appropriating an additional Ten Thousand Four Hundred Dollars (\$10,400) in the Supplemental Adult Probation Fees Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the Supplemental Adult Probation Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(24) of the City-County Annual Budget for 1987, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Presiding Judge of the Municipal Court for training materials for NCTI, for PC supplies, training for probation officers, and accreditation.

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SECTION 2. The sum of Ten Thousand Four Hundred Dollars (\$10,400) 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:

PRESIDING JUDGE <u>OF THE MUNICIPAL COURT</u>	SUPPLEMENTAL ADULT <u>PROBATION FEES FUND</u>
2. Supplies	\$ 5,400
3. Other Services & Charges	<u>\$ 5,000</u>
TOTAL INCREASE	\$10,400

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

	SUPPLEMENTAL ADULT <u>PROBATION FEES FUND</u>
Unappropriated and Unencumbered Supplemental Adult Probation Fees Fund	<u>\$10,400</u>
TOTAL REDUCTION	\$10,400

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

PROPOSAL NO. 244, 1987. This proposal appropriates \$154,675 for the Presiding Judge of the Municipal Court to raise all full-time employees salaries to an eight percent increase from the 1986 base and to fund contractual public defenders through 1987. Councillor Dowden indicated that there were still some items that needed to be resolved concerning Proposal No. 244, and requested that it be Postponed Indefinitely. Consent was given.

#### **SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 173, 1987. This proposal appoints Carolyn Coukos to the Community Centers of Indianapolis Board.

President SerVaas stated that when he originally requested Ms. Coukos to serve on this Board, he did not realize she was also serving on the Equal Opportunity Board. President SerVaas indicated that Ms. Coukos has requested to withdraw from this Board and to serve on the Equal Opportunity Board.

President SerVaas requested that Proposal No. 173, 1987, be Stricken. Consent was given.

#### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 223, 1987. This proposal establishes a sixty day moratorium on the hearing of certain fiscal ordinances and establishing an Ad-Hoc Budget Guideline Committee.

Councillor Williams expressed concerns with the number of transfers and appropriations that are being requested by the various agencies.

She also stated that the budget process needs to be examined and the various agencies need assistance in calculating correctly the funding that will be necessary for the next fiscal year. Councillor Williams expressed that a sixty day moratorium would allow the appropriate authorities to examine the budget process and to detect the deficiencies.

Councillor McGrath reported that the Rules and Policy Committee on April 28, 1987, recommended Proposal No. 223, 1987, Do Pass As Amended, by a 6-0 vote. Councillor

McGrath moved, seconded by Councillor Boyd, for adoption. Proposal No. 223, 1987, As Amended, was adopted on the following roll call vote; viz:

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

*0 NAYS*

*1 NOT VOTING: Dumil*

Proposal No. 223, 1987, As Amended, was retitled SPECIAL RESOLUTION NO. 36, 1987, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1987

A SPECIAL RESOLUTION allowing the Rules and Policy Committee to establish guidelines and procedures for the processing of the budget and other fiscal ordinances.

WHEREAS, the annual budget process of the City-County Council is now to commence; now, therefore:

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

SECTION 1. The Rules and Policy Committee shall establish guidelines and procedures for the processing of the budget and other fiscal ordinances and shall present their proposed recommendations to the full Council at the regularly scheduled June 22, 1987, Council Meeting.

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

PROPOSAL NO. 245, 1987. This proposal amends the Code with regard to speed control changes on West 38th Street between I-65 and White River Parkway, E. Drive. Councillor Gilmer stated that the speed limit will be changed from 55 MPH to 45 MPH.

Councillor Holmes spoke in opposition of the passage of Proposal No. 245, 1987.

The Transportation Committee on May 6, 1987, recommended Proposal No. 245, 1987, Do Pass by a 5-0 vote. Councillor Gilmer moved, seconded by Councillor McGrath, for adoption. Proposal No. 245, 1987, was defeated on the following roll call vote; viz:

*6 YEAS: Bradley, Curry, Gilmer, McGrath, Rhodes, West*

*20 NAYS: Boyd, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Schneider, SerVaas, Shaw, Stewart, Strader, Williams*

*3 NOT VOTING: Borst, Dumil, Hawkins*

Mr. Fred Madorin, Director for the Department of Transportation, recommended that the speed limit does need to be lowered on West 38th Street between I-65 and White River Parkway, E. Drive to 45 MPH. Mr. Madorin stated that this area is hazardous if motorists would travel at 55 MPH.

Councillor Schneider moved, seconded by Councillor Stewart that Proposal No. 245 be reconsidered. This motion failed on the following roll call vote; viz:

*9 YEAS: Bradley, Crowe, Curry, Gilmer, Rhodes, Schneider, SerVaas, Stewart, West*

*14 NAYS: Boyd, Clark, Cottingham, Coughenour, Giffin, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Rader, Williams*

*6 NOT VOTING: Borst, Dowden, Dumil, McGrath, Shaw, Strader*



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PROPOSAL NO. 246, 1987. This proposal amends the Code by authorizing intersection control changes on Bancroft Avenue and Howe Street and parking control changes on portions of Emerson Avenue. The Transportation Committee on May 6, 1987, recommended Proposal No. 246, 1987, Do Pass by a 5-0 vote. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 246, 1987, was adopted on the following roll call vote; viz:

18 YEAS: Boyd, Bradley, Cottingham, Curry, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, West

0 NAYS

11 NOT VOTING: Borst, Clark, Coughenour, Crowe, Dowden, Durnil, Howard, McGrath, Schneider, Strader, Williams

Proposal No. 246, 1987, was retitled GENERAL ORDINANCE NO. 38, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 1987

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-166, One way streets and alleys designated, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, and 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. That 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:

EASTBOUND

Howe Drive, from Bancroft Street to Emerson Avenue;

SOUTHBOUND

Bancroft Street, from Julian Avenue to Howe Drive.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

Emerson Avenue, on the west side, from a point 55 feet north of Howe Drive to a point 83 feet south of Howe Drive.

SECTION 3. 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.

Emerson Avenue, on the east side, from Julian Avenue to the first alley south of Julian Avenue.

SECTION 4. 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>
26, Pg. 2	S. Bancroft Ave & Julian Ave	Julian Ave	Stop

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SECTION 5. 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>
26, Pg. 2	Bancroft Ave & Julian Ave	None	None

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14. Councillor Journey inquired as to the installation of the automatic signal at I-70 and Rural.

Mr. Madorin stated that this signal has been approved by the Council; however, the Department has been waiting for the contracts to be approved, the plans prepared and the funds to become available.

PROPOSAL NO. 247, 1987. This proposal amends the Code by authorizing intersection control changes at Cherry Lane and 44th Street. President SerVaas relinquished the gavel to Councillor Miller and requested that Proposal No. 247, be Tabled Indefinitely. Consent was given.

Councillor Miller returned the gavel to President SerVaas.

PROPOSAL NO. 259, 1987. This proposal approves disannexation from the City of Indianapolis to the Town of Speedway. Councillor Borst explained that Joseph F. Sexton, Co., requested that a certain territory be transferred from the Consolidated City to the Town of Speedway. There was an error in the legal description in General Ordinance No. 77, 1974, which covered this area; therefore, on February 17, 1987, the disannexation for this area was filed. Sexton Co. plans to build a 202 unit apartment complex on this land.

Joseph Sexton prefers that the land be transferred to the Town of Speedway because access to the sewers is more attainable than in Indianapolis.

Councillor Borst stated that Mr. Keith White, an attorney for Speedway, indicated that the town of Speedway does not have any opposition to accepting the additional land.

Councillor Borst indicated that at the April 29, Committee meeting Mr. Bruce Cordingley, representing Joseph F. Sexton Company, presented proof that there was an error in General Ordinance No. 77, 1974.

Mr. Cordingley presented the Metropolitan Development Committee with an insert of the map of the petition of 1974 with a note dated April of 1975 by Ron Snyder, stating that this land should have been included in the area disannexed. The County Surveyor in 1974, relied on what he understood the legal description to be rather than relying on the maps.

The Metropolitan Development Committee on April 29, 1987, recommended Proposal No. 259, 1987, Do Pass As Amended, by a 5-0 vote. Councillor Borst moved, seconded by Councillor Howard, for adoption. Proposal No. 259, 1987, As Amended, was adopted on the following roll call vote; viz:

*24 YEAS: Borst, Boyd, Bradley, Clark, Cottingham, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*  
*1 NAY: Journey*

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4 NOT VOTING: Coughenour, Durnil, McGrath, Williams

Proposal No. 259, 1987, was retitled GENERAL ORDINANCE NO. 39, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 39, 1987

A GENERAL ORDINANCE approving a petition for transfer of territory within the Consolidated City to the Town of Speedway.

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

SECTION 1. The petition for transfer of certain territory described in Section 2 from the Consolidated City to the Town of Speedway (an excluded city) is hereby approved, subject to annexation by the Town of Speedway.

SECTION 2. Sec. 2-10 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by adding a new paragraph (3) to read as follows:

(3) Disannexation to Town of Speedway:

A part of the Northwest Quarter of Section 36, Township 16 North of Range 2 East in Marion County, Indiana, being more particularly described as follows, to-wit:

Beginning at the Northwest corner of said Quarter Section at a found bolt: thence North 89 degrees 05 minutes 45 seconds East upon and along the North line of said Quarter Section 130.00 feet to a point: thence South 14 degrees 58 minutes 33 seconds East 1368.422 feet to a found concrete marker on the South line of the North Half of said Quarter Section (said point also being 172.00 feet West of the Northwest corner of "Block Z" in "Speedway Cunningham Park" as recorded in Plat Book 28, page 190 in the Office of the Recorder of Marion County, Indiana): thence South 89 degrees 26 minutes 58 seconds West upon and along the said South line 483.62 feet to the Southwest corner of the North Half of said Quarter Section and a found masonry nail: thence North 00 degrees 00 minutes 00 seconds upon and along the West line of said Quarter Section 1324.54 feet to the place of beginning.

A part of the Northwest Quarter of Section 36, Township 16 North, Range 2 East in Marion County, Indiana, more particularly described as follows:

Beginning at a point in the North line of said Quarter Section, 130 feet East of the Northwest corner thereof, run thence Southeastwardly to a point in the South line of the North Half of the aforesaid Northwest Quarter, said point being 172 feet West of the Northwest corner of Block "Z" in Speedway Cunningham Park, an addition to the Town of Speedway, Marion County, Indiana as recorded in Plat Book No. 28, Pages 190, 191, 192, and 193 in the Office of the Recorder of Marion County, Indiana: thence Eastwardly along and with the aforesaid South line of the aforesaid Half Quarter Section, and the North line, and the North line extended, of the aforesaid Speedway Cunningham Park to a point which is 235.1 feet West of the Southeast corner of the aforesaid Half Quarter Section: thence Northwestwardly parallel to the center line of Cunningham Road, and 230 feet Southwestwardly therefrom 1213.1 feet: thence Northwardly 203.9 feet to a point in the North line of the aforesaid Northwest Quarter Section, said point being 185 feet West of the aforesaid center line of said Cunningham Road: thence Westwardly along and with said North line 60 feet: thence Southwardly and Southeastwardly parallel to, and 60 feet Westwardly therefrom, the Easterly bounds of the within described tract as follows: Southwardly 215 feet: thence Southeastwardly 537 feet to a point: thence Southwestwardly at right angles 90 feet: thence Southeastwardly at right angles 30 feet: thence Northeastwardly at right angles 90 feet: thence Southeastwardly parallel to the Easterly line of the within described tract aforesaid: and 60 feet Westwardly therefrom, 563 feet: thence Westwardly parallel to the South line of the aforesaid North Half of the Northwest Quarter aforesaid, and 60 feet North therefrom 1435 feet: thence Northwestwardly 1000 feet to a point which is 380 feet East of the Westwardly line of the within described tract measured at right angles to said Westwardly line: thence Northwardly 305 feet more or less to a point in the North line of the aforesaid Quarter Section, said point being 495 feet East of the place of beginning: thence Westwardly along and with the aforesaid North line 495 feet to the place of beginning, containing 16.95 acres more or less.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, and annexation by the Town of Speedway.

Councillor Journey explained the reason she dissented was because the City of Indianapolis will lose tax money.

PROPOSAL NO. 260, 1987. This proposal amends the Code by prohibiting parking at all times on Millersville Road between 46th Street and Emerson Way.

Councillor Gilmer explained that the residents of Millersville Road have requested that proper signage be posted so that the Marion County Sheriff's Department can take legal action against persons loitering and parking on this road.

The Transportation Committee on May 6, 1987, recommended Proposal No. 260, 1987, Do Pass by a 5-0 vote. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 260, 1987, was adopted on the following roll call vote; viz:

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

Proposal No. 260, 1987, was retitled GENERAL ORDINANCE NO 40, 1987, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 40, 1987

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, 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:

Millersville Road, on both sides,  
from 46th Street to Emerson Way.

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

NEW BUSINESS

ANNOUNCEMENTS AND ADJOURNMENTS

There being no further business, upon motion duly made and seconded the meeting adjourned at 9:06 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 11th day of May, 1987.

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



President

*May 11, 1987*

ATTEST:

Clerk of the Council

(SEAL)