

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

**REGULAR MEETINGS
MONDAY, AUGUST 19, 1996**

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 7:13 p.m. on Monday, August 19, 1996, with Councillor SerVaas presiding.

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

ROLL CALL

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

28 PRESENT: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
1 ABSENT: Dowden

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Short recognized Billie J. Breaux, State Senator. Councillor McClamroch recognized State Senator Murray Clark and his son Jim. Councillor Borst wished his mother a happy birthday.

OFFICIAL COMMUNICATIONS

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

Journal of the City-County Council

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 the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, August 19, 1996, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

August 6, 1996

TO THE HONORABLE PRESIDENT AND 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:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis COMMERCIAL on Wednesday, August 7, 1996 and the Indianapolis NEWS on Thursday, August 8, 1996, a copy of a PUBLIC NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 527, 528, and 530, 1996 to be held on August 19, 1996 at 7:00 p.m., in the City-County Building.

Respectfully,
s/Suellen Hart
Clerk of the City-County Council

August 9, 1996

TO THE HONORABLE PRESIDENT AND 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:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Suellen Hart, the following ordinances:

FISCAL ORDINANCE NO. 75, 1996: an appropriation of \$59,000 for the Forensic Services Agency to purchase chemicals, reagents, and supplies for DNA analysis and to provide monies for training and the initiation of the laboratory accreditation process financed by a reimbursement of \$24,000 from Abu Dhabi, United Arab Emirates, and a transfer of \$35,000 within the agency's County General Fund

FISCAL ORDINANCE NO. 76, 1996: an appropriation of \$60,000 for the Marion County Superior Court, Juvenile Division, to fund Child Advocates, Inc., a program to assist children who are victims of abuse, financed by a state grant

FISCAL ORDINANCE NO. 77, 1996: an appropriation of \$45,000 for the Prosecuting Attorney to develop a community-wide protocol with the criminal justice agencies and treatment providers to combat domestic violence financed by a federal grant

FISCAL ORDINANCE NO. 78, 1996: an appropriation of \$8,529 for the Prosecuting Attorney to pay partial salary of an Adult Protective Services Investigator and to purchase a computer financed by a federal grant

FISCAL ORDINANCE NO. 79, 1996: an appropriation of \$700,000 for the Public Defender Agency to fund indigent Appeal transcripts and death penalty litigation claims financed by revenues from the County General Fund

GENERAL ORDINANCE NO. 118, 1996: amends the Code concerning activities in the right-of-way

GENERAL ORDINANCE NO. 126, 1996: authorizes a traffic signal at Holt Road and Oliver Avenue (District 17)

GENERAL ORDINANCE NO. 127, 1996: authorizes intersection controls for Allison Commons, Section 1 (District 4)

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GENERAL ORDINANCE NO. 128, 1996: authorizes a multi-way stop at Sherman Drive and Lorrain Road (District 4)

GENERAL ORDINANCE NO. 129, 1996: authorizes a multi-way stop at 58th Street and Carvel Avenue (District 7)

GENERAL ORDINANCE NO. 130, 1996: authorizes a multi-way stop at Baker Drive and Conried Drive (District 14)

GENERAL ORDINANCE NO. 131, 1996: authorizes a multi-way stop at 46th Street and Sunset Avenue (District 6)

GENERAL ORDINANCE NO. 132, 1996: authorizes a multi-way stop at 13th Street and Mitchner Avenue (District 12)

GENERAL ORDINANCE NO. 133, 1996: authorizes a multi-way stop at Harlan Street and Werges Avenue (District 24)

GENERAL ORDINANCE NO. 134, 1996: authorizes a multi-way stop at Holliday Drive and Pine Drive (District 3)

GENERAL ORDINANCE NO. 135, 1996: authorizes a multi-way stop at Post Road, Imperial Drive, and Northeastern Avenue (District 23)

GENERAL ORDINANCE NO. 136, 1996: removes parking restrictions on Central Avenue (District 22)

GENERAL ORDINANCE NO. 137, 1996: authorizes parking restrictions on Dearborn Street, on the west side, from the south curblineline of 10th Street to a point 200 feet south of 10th Street (District 15)

SPECIAL RESOLUTION NO. 50, 1996: calls on the citizens of Marion County to support the Indianapolis Rebuilding Families initiative which will strengthen families by encouraging responsible fatherhood, discouraging teen pregnancy, and improving support for teenage mothers and economic opportunities for young families

SPECIAL ORDINANCE 11, 1996: elects to fund MECA operations in calendar year 1997 with \$2 million dollars of COIT revenue

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF AGENDA

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

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of August 5, 1996. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 563, 1996. The proposal, introduced by Councillors Boyd, Black, Borst, Brents, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, McClamroch, Moriarty Adams, SerVaas, Short, Talley, and Williams, remembers the life of Reverend Andrew J. Brown. Councillor Boyd read the proposal and asked for consent to vote on Proposal No. 563, 1996 prior to commenting on the proposal. Consent was given. Proposal No. 563, 1996 was adopted by a unanimous voice vote.

Councillor Boyd stated that Reverend Brown served the community during a significant transition period of time for the black population in Indianapolis. He stated that while acknowledging the life of a person such as Reverend Brown, it is important for other generations to be aware of the circumstances and events which existed in the community prior to that time. Councillor Boyd continued saying that without this knowledge other generations have less appreciation for the strides made by civil rights leaders such as Reverend Brown. One of the vital strides which Reverend Brown helped achieve was racial equality in Indianapolis.

Councillors Boyd and Franklin presented the family with copies of the document and Council pins.

Reverend Thomas L. Brown, Reverend Andrew J. Brown's son, spoke on behalf of the family, his widow RosaLee Brown, and daughters Dr. Monica Fields and Adrienne Brown. He thanked and expressed appreciation to the Council for the honor of remembering his father.

Councillor Boyd moved, seconded by Councillor Bradford, for adoption. Proposal No. 563, 1996 was adopted by a unanimous voice vote.

Proposal No. 563, 1996 was retitled SPECIAL RESOLUTION NO. 51, 1996 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1996

A SPECIAL RESOLUTION remembering the life of Reverend Andrew J. Brown.

WHEREAS, Reverend Andrew J. Brown made a tremendous and continuing impact upon the city of Indianapolis; and

WHEREAS, during W.W.II, while laying in a hospital bed he promised God that if his leg would be spared from amputation, he would dedicate the rest of his life doing the Lord's work and be a champion of justice for all people; and

WHEREAS, a healing miracle occurred, and Rev. Brown, true to his word, spent the rest of his life preaching the Gospel and working for social justice; and

WHEREAS, the articulate new minister with an inspiring new message arrived at St. John's Missionary Baptist Church in 1947, and from that day on Indianapolis would never be the same; and

WHEREAS, Rev. Brown teamed up with Dr. Martin Luther King, Jr. and other national civil rights activists to energetically call attention to acts of racial segregation and discrimination in this community and nation; and

WHEREAS, Rev. Brown co-founded the Indiana Black Expo, started Operation Breadbasket, led marches, organized social programs and organized voter registrations, and in the 1980's a street alongside the Church was renamed *Dr. Andrew J. Brown Avenue* to honor him; and

WHEREAS, after a lifetime of faith, courage and ministry, Rev. Brown has now been called from his earthly pilgrimage to spend eternity with his Heavenly Friend; 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 pauses to reflect upon the life of minister, civil rights leader and friend of many--Reverend Andrew J. Brown.

SECTION 2. Giant strides in human equality were made during the active years of Rev. Brown, and such progress must not flag now that his voice has been stilled.

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SECTION 3. The Council extends its heartfelt condolences to Rev. Brown's widow RosaLee Brown; daughters Dr. Monica Fields and Adrienne Brown; and to his son Rev. Thomas L. Brown.

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

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

PROPOSAL NO. 564, 1996. The proposal, introduced by Councillor SerVaas, concerns the Marion County Court Unification. The President referred Proposal No. 564, 1996 to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 524, 1996. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 524, 1996 on August 6, 1996. The proposal approves the Mayor's appointment of Peter A. Bisbecos as hearing officer to preside over the administrative adjudication of parking citations. Councillor Schneider moved, Councillor Massie seconded, and Proposal No. 524, 1996 was adopted by a unanimous voice vote.

Proposal No. 524, 1996 was retitled COUNCIL RESOLUTION NO. 50, 1996, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 1996

A COUNCIL RESOLUTION approving the Mayor's appointment of Peter A. Bisbecos as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County for a term of one (1) year and until a successor is appointed, at the pleasure of the Mayor.

WHEREAS, pursuant to IC 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Peter A. Bisbecos to serve as hearing officer at his pleasure for a term of one (1) year, now, therefore:

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

SECTION 1. Peter A. Bisbecos is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for a term of one (1) year.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 550, 1996. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis Airport Authority District"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 551, 1996. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Resolution which reviews, modifies, and approves the

operating and maintenance budget and tax levies of the Capital Improvement Board of Managers of Marion County”; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 552, 1996. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: “A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Health and Hospital Corporation of Marion County”; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 553, 1996. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: “A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis-Marion County Public Library Board”; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 554, 1996. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: “A Proposal for a General Resolution which reviews, modifies, and approves the operating and maintenance budget and tax levies of the Indianapolis Public Transportation Corporation”; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 555, 1996. Introduced by Councillor Williams. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which restricts the use of public funds not budgeted for that purpose to settle employment litigation”; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 556, 1996. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which is an appropriation of \$4,000,000 for the Department of Parks and Recreation to make capital improvements at Garfield Park financed by a grant from Lilly Endowment”; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 557, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which is an appropriation of \$724,123 for the Department of Metropolitan Development, Division of Planning, to support reuse planning and research activities at Naval Air Warfare Center financed by revenues in the Consolidated County and Federal Grants Funds”; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 558, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which is an appropriation of \$2,326 for the Prosecuting Attorney to train deputy prosecutors and advocates in victim ideology with emphasis on family violence and sexual assault financed by a state grant”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 559, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which is an appropriation of \$89,957 for the Prosecuting Attorney to fund the continuation of an Adult Protective Services Unit serving Marion, Hamilton, Hancock, and Boone Counties financed by state and federal grants”; and the President referred it to the Public Safety and Criminal Justice Committee.

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PROPOSAL NO. 560, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$19,743 in the State and Federal Grants Fund for the Marion County Public Defender Agency, Prosecuting Attorney, Marion County Superior Court, and County Auditor to restore the six percent decrease in the original award for the expedited trial grant that was a result of the federal budget not being approved on the date of the original grant award"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 561, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$3,744 in the State and Federal Grants Fund for the Marion County Public Defender Agency and County Auditor to restore the six percent decrease in the original award of the alternative sentencing grant that was a result of the federal budget not being approved on the date of the original grant award"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 562, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$318,874 to provide funding for training and anti-gang initiatives for the Department of Public Safety, Police Division, financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Borst reported that the Economic Development Committee heard Proposal Nos. 565, 566, 567, and 568, 1996 on August 14, 1996.

PROPOSAL NO. 565, 1996. The proposal is a special ordinance for Indiana Veneers Corp. to proceed with the acquisition of machinery, equipment and/or other fixtures and the expansion of the existing building located at 1121 East 24th Street in an amount not to exceed \$1,000,000 (District 10). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Golc, for adoption. Proposal No. 565, 1996 was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Brents, Cockrum, Coonrod, Curry, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Short, Smith, Talley, Tilford, Williams

0 NAYS:

5 NOT VOTING: Bradford, Coughenour, Franklin, Gilmer, Shambaugh

1 ABSENT: Dowden

Proposal No. 565, 1996 was retitled SPECIAL ORDINANCE NO. 14, 1996, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 14, 1996

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$1,000,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1996 (Indiana Veneers Corp. Project) (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a bond purchase and loan agreement between an issuer and a bondholder; and

WHEREAS, a representative of Indiana Veneers Corp. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete certain foundation work and structural reconfiguration to the Company's existing building and the acquisition of certain machinery and equipment which will be owned and operated by the Company for use in its existing wood veneer manufacturing business located at 1121 East 24th Street, Indianapolis, Indiana, and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, installation and equipping of the Project by issuing its \$1,000,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1996 (Indiana Veneers Corp. Project) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24, adopted a Resolution finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Bond Purchase and Loan Agreement (the "Loan Agreement") by and among the Issuer, the Company and NBD Bank, N.A. in order to obtain funds to lend to the Company pursuant to the Bond Purchase and Loan Agreement for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Bond Purchase and Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final form of the Bond Purchase and Loan Agreement (hereinafter referred to as the "Financing Document") and this proposed form of special ordinance by Resolution adopted, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Document consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Financing Document presented herewith is hereby approved and such document shall be kept on file by the Clerk of the Council or City Controller. In compliance with Indiana

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Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Document are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed One Million Dollars (\$1,000,000) for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the costs of the Project, which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Financing Document to evidence and secure said loan and as otherwise provided in the above-described Financing Document. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Purchaser at a price not less than one hundred percent (100%) of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest determined as set forth in the Bond Purchase and Loan Agreement.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Document approved herein which requires the signature of the Mayor and City Clerk and any other document which may be necessary to desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Purchaser, payment for which will be made in the manner set forth in the Financing Document. The Mayor and City Clerk may, by their execution of the Financing Document requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 6. The provisions of this special ordinance and the Financing Document shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 566, 1996. The proposal is a special ordinance for Willowbrook Affordable Housing Corp. to proceed with the acquisition, renovation and equipping of the existing 385-unit multi-family residential rental facility consisting of 12 buildings located at 4803 Round Lake Road on approximately 28.44 acres of land, as well as the acquisition, construction and installation of various site improvements at the facility in an amount not to exceed \$17,005,000 (Willowbrook Apartments Project) (District 4). By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bradford asked whether any property taxes would be paid. Michael Lucas, Counsel to the Indianapolis Economic Development Commission, answered in the affirmative.

Councillor Borst moved, seconded by Councillor Coonrod, for adoption. Proposal No. 566, 1996 was adopted on the following roll call vote; viz:

26 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford

0 NAYS:

2 NOT VOTING: Coughenour, Williams

1 ABSENT: Dowden

Proposal No. 566, 1996 was retitled SPECIAL ORDINANCE NO. 15, 1996, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 15, 1996

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$17,005,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1996 (Willowbrook Apartment Project) tentatively consisting of \$12,915,000 Senior Series 1996A, \$350,000 Taxable Senior Series 1996B, \$1,565,000 Subordinated Series 1996C and \$2,175,000 Junior Subordinated Series 1996D, but subject to change (the "Bonds"), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a trustee; and

WHEREAS, a representative of Willowbrook Affordable Housing Corp. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to finance the costs of the acquisition, renovation and equipping of the existing three hundred eighty-five unit multi-family residential rental facility consisting of twelve buildings located at 4803 Round Lake Road on approximately 28.44 acres of land, as well as the acquisition, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, installation and equipping of the Project by issuing the Bonds; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24, adopted a Resolution, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, a duly authorized designee of the Issuer conducted a public hearing pursuant to Section 147(f) of the Internal Revenue of 1986, as amended; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated as of August 1, 1996 between the Issuer and First Commercial Trust Company, National Association and Peoples Bank & Trust Company as Co-Trustees (the "Co-Trustees"), and to loan the proceeds of the Bonds to the Company pursuant to a Loan Agreement dated as of August 1, 1996 between the Issuer and the Company (the "Loan Agreement") for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Indenture and the Loan Agreement provide for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

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WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Indenture and the Loan Agreement dated as of August 1, 1996 among the Issuer, the Company and the Co-Trustees, the Land Use Restriction Agreement dated as of August 1, 1996 among the Issuer, the Co-Trustees and the Company, the Bond Purchase Agreement from Miller & Schroeder Financial, Inc. to the Issuer and the Company, and the Official Statement of the Issuer (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the Council or City Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the total principal amount not to exceed \$17,005,000. Said Bonds are to be issued for the purpose of procuring funds to pay the costs of the acquisition, construction and equipping of the Project as more particularly set out in the Financing Documents, incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest from the note payments made by the Company under the Loan Agreement or as otherwise provided in the above described Indenture. Payments of principal and interest are payable in lawful money of the United States of America by check or draft mailed or delivered to the registered owners as provided in the Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Indianapolis, Indiana, nor are the Bonds payable in any manner from revenues raised by taxation.

SECTION 4. The City Clerk and City Controller are authorized and directed to sell such Bonds to the original purchasers thereof at a price not less than 92.5% of par, representing an underwriter's discount of 2.5% and original issue discount not to exceed 5%. The term of the Bonds shall not exceed 35 years and the Bonds will bear interest at various rates not to exceed 10.5%.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary to desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the original purchasers thereof, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 6. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 567, 1996. The proposal amends S.R. No. 4, 1996 by extending the expiration date for the Archdiocese of Indianapolis through February 28, 1997 to proceed with the renovation, enlargement and refinancing of its educational facilities located in Indianapolis in an amount not to exceed \$60,000,000 (Districts throughout Marion County). By a 9-0 vote, the

Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Talley, for adoption. Proposal No. 567, 1996 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 NOT VOTING: Coughenour

1 ABSENT: Dowden

Proposal No. 567, 1996 was retitled SPECIAL RESOLUTION NO. 52, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 1996

A SPECIAL RESOLUTION amending City-County Special Resolution No. 4, 1996, 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 IC 36-7-11.9 and IC 36-7-12 (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, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company; and

WHEREAS, City-County Special Resolution No. 4, 1996 (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 the Archdiocese of Indianapolis (the "Company") which Inducement Resolution set an expiration date of August 31, 1996 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had 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 terms 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 OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of August 31, 1996, contained therein and replacing said date with the date of February 28, 1997.

SECTION 2. The City-County Council further finds, determined, 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. 568, 1996. The proposal amends S.O. No. 6, 1996 as it pertains to the definition of "Qualified Investments" contained in the Original Loan Agreement with respect to the previously-issued and outstanding \$7,000,000 City of Indianapolis Economic Development Revenue Bonds, Series 1996 A and B (Faris Avenue Limited Partnership Project), the proceeds of which were used to (i) finance the costs of the acquisition, renovation and equipping of the existing 352-unit multi-family residential facility located at 6875 Faris Avenue on approximately

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22.11 acres of land, and (ii) the acquisition, construction and installation of various site improvements at the facility located at 6875 Faris Avenue (District 12).

By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Golc, for adoption. Proposal No. 568, 1996 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 NOT VOTING: Moriarty Adams

1 ABSENT: Dowden

Councillor Moriarty Adams stated that she abstained due to a conflict with her work.

Proposal No. 568, 1996 was retitled SPECIAL ORDINANCE NO. 16, 1996, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 16, 1996

A SPECIAL ORDINANCE authorizing certain amendments to the previously-issued \$7,000,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1996 A and B (Faris Avenue Limited Partnership Project) and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36 Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, on May 1, 1996 the City of Indianapolis, Indiana (the "Issuer") issued its \$7,000,000 City of Indianapolis Economic Development Revenue Bonds, Series 1996 A and B (Faris Avenue Limited Partnership Project) (the "Bonds") pursuant to a Loan Agreement, Mortgage, Security Agreement and Financing Statement (the "Financing Documents") dated as of May 1, 1996 by and between the Issuer, the Company and Norwest Bank Indiana, N.A., as Trustee (the "Trustee") and loaned the proceeds thereof to Faris Avenue Limited Partnership (the "Company") pursuant to the Financing Documents dated as of May 1, 1996, between the Issuer, the Company and the Trustee to enable the Company to undertake and complete (i) the financing of the costs of the acquisition, renovation and equipping of the existing 352-unit multi-family residential facility located at 6875 Faris Avenue on approximately 22.11 acres of land and (ii) the acquisition, construction and installation of various site improvements at the facility (the "Project"); and

WHEREAS, representatives of the Company have requested that the Issuer agree to modify certain provisions contained in the Financing Documents concerning the definition of "qualified investments"; and

WHEREAS, the proposed amendment to the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final form of the First Amendment to Loan Agreement, Mortgage, Security Agreement and Financing Statement (the "Supplemental Financing Document") dated as of May 1, 1996 among the Issuer, the Trustee and the Company, and this proposed form of special ordinance by Resolution; now, therefore:

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

SECTION 1. It hereby reaffirms its original findings in S.O. 6, 1996 that the financing of the economic development facilities referred to therein will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Supplemental Financing Document presented herewith is hereby approved and such documents shall be kept on file by the Clerk of the Council or City Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Supplemental Financing Document are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Supplemental Financing Document approved herein which require the signature of the Mayor and City Clerk and any other documents which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The Mayor and City Clerk may, by their execution of the Supplemental Financing Document requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 4. The provisions of this special ordinance and the Supplemental Financing Document shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the execution and delivery of the Supplemental Financing Document this special ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NOS. 569-580, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: REZONING ORDINANCES certified by the Metropolitan Development Commission on August 15, 1996. The Council did not schedule Proposal Nos. 569-580, 1996 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 569-580, 1996 were retitled REZONING ORDINANCES NOS. 158-169, 1996 and are identified as follows:

REZONING ORDINANCE NO. 158, 1996. 95-Z-199A.
8801 BROOKVILLE ROAD (approximate. address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.
CHESTER GOINS, by Thomas Michael Quinn, requests a rezoning of 20 acres, being in the C-5 District, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 159, 1996. 95-Z-199B.
8601 BROOKVILLE ROAD (approximate. address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.
CHESTER GOINS, by Thomas Michael Quinn, requests a rezoning of 100 acres, being in the C-5 and D-A Districts, to the C-5 classification to provide for an automobile auction.

REZONING ORDINANCE NO. 160, 1996. 95-Z-199C (Amended).
2001 SOUTH FRANKLIN ROAD (approximate. address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.
CHESTER GOINS, by Thomas Michael Quinn, requests a rezoning of 56.484 acres, being in the D-A District, to the C-I classification to provide for office development.

REZONING ORDINANCE NO. 161, 1996. 95-Z-199D (Amended).
8401 BROOKVILLE ROAD (approximate. address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13.
CHESTER GOINS, by Thomas Michael Quinn, requests a rezoning of 55.429 acres, being in the I-2-S, C-5, D-A Districts, to the I-2-S classification to provide for industrial development.

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REZONING ORDINANCE NO. 162, 1996. 96-Z-85 (96-DP-8).
1902 WEST MORRIS STREET (approximate. address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 17.
MARY RIGG NEIGHBORHOOD CENTER, INC., by Larry F. Whitham, requests a rezoning of 1.969 acres, being in the C-4 and D-5 Districts, to the D-P classification to provide for the construction of a senior housing facility with 39 dwelling units and a community center.

REZONING ORDINANCE NO. 163, 1996. 96-Z-144.
730 EAST WASHINGTON STREET and
752 EAST MARKET STREET (approximate. address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22.
CITY OF INDIANAPOLIS/ MARION COUNTY requests a rezoning of 4.2 acres, being in the I-3-U(RC) District, to the SU-8(RC) classification to provide for a correctional and penal institution.

REZONING ORDINANCE NO. 164, 1996. 96-Z-118.
4001 SOUTH EMERSON AVENUE (approximate. address), BEECH GROVE.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.
GEORGE A. SMITH, by Philip A. Nicely, requests a rezoning of 5.19 acres, being in the C-5 and C-S Districts, to the C-S classification to provide for a mixed use development including C-5 uses, such as the sale of automobiles, permitted by rezoning petition 95-Z-193; light industrial complex permitted by petition 93-Z-10I; and, mini-warehouse development with an office and a residential unit for an on-site resident manager.

REZONING ORDINANCE NO. 165, 1996. 96-Z-112.
8433 NUCKOLS LANE (approximate. address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.
KEENELAND CREST, L.L.C., by Michael J. Kias, requests a rezoning of 11.236 acres, being in the D-3 District, to the D-6 II classification to provide for the contraction of a multi-family residential development.

REZONING ORDINANCE NO. 166, 1996. 96-Z-120.
5155 SOUTH EMERSON AVENUE (approximate. address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.
GTE MOBILNET OF INDIANA, L.P., requests a rezoning of 0.06 acre, being in the C-S District, to the C-S classification to provide for a telecommunications facility including an unmanned 12' by 20' building and a monopole tower, being 150 feet in height, with antennas.

REZONING ORDINANCE NO. 167, 1996. 96-Z-128.
10145 HERMOSA DRIVE (approximate. address), CITY OF LAWRENCE.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5.
KURT R. and MARLENE K. ALBERSHARDT, by Gregory K. Silvers, requests a rezoning of 1.0 acre, being in the SU-1 District, to the D-2 classification to provide for the construction of a single-family residence.

REZONING ORDINANCE NO. 168, 1996. 96-CP-20Z.
7751 PERSHING ROAD (approximate. address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 2.
THE STRIEBECK COMPANY, LTD, requests a rezoning of 1 acre, being in the C-I(FF) District, to the D-3(FF) classification to provide for single-family residential development.

REZONING ORDINANCE NO. 169, 1996. 96-CP-22 Z (96-DP-13).
3940 WEST 71st STREET (approximate. address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 2.
JOHN LEVINSOHN, by Michael Keele, requests a rezoning of 13.77 acres, being in the D-S District, to the D-P classification to provide for 28 detached single-family residences, commercial office development and restricted industrial development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 309, 1996. The proposal is an appropriation of \$785,327 for various County agencies to pay Information Service Agency charges financed by transfers of \$576,806 within

certain agencies' County General Fund and an appropriation of \$208,521 from the County General Fund balances. Councillor Schneider moved, seconded by Councillor Gilmer, to postpone Proposal No. 309, 1996 until the September 9, 1996 Council meeting. The motion carried by a unanimous voice vote.

PROPOSAL NO. 527, 1996. The proposal is an appropriation of \$294,000 in the County Correction Fund for the County Sheriff, Marion County Justice Agency, Community Corrections, and County Auditor to continue providing diversion programs for misdemeanor populations from State penal facilities. Councillor Smith, speaking in Councillor Dowden's absence, moved, seconded by Councillor Bradford, to postpone Proposal No. 527, 1996 until the September 9, 1996 Council meeting. The motion to postpone Proposal No. 527, 1996 carried by a unanimous voice vote.

Councillor Coughenour reported that the Public Works Committee heard Proposal Nos. 528 and 530, 1996 on August 8, 1996.

PROPOSAL NO. 528, 1996. The proposal is an appropriation of \$300,000 for the Department of Public Works, Maintenance Operations Division, to pay for cost overruns due to the snow removal of 1996 financed by a federal grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:37 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 528, 1996 was adopted on the following roll call vote; viz:

28 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
0 NAYS:
1 ABSENT: Dowden

Proposal No. 528, 1996 was retitled FISCAL ORDINANCE NO. 80, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Three Hundred Thousand Dollars (\$300,000) in the Maintenance Operation General Fund for purposes of the Department of Public Works, Maintenance Operations Division and reducing the unappropriated and unencumbered balance in the Maintenance Operation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (l) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department Of Public Works, Maintenance Operations Division for snow removal activities.

SECTION 2. The sum of additional Three Hundred Thousand Dollars (\$300,000) 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 appropriation is hereby approved:

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DEPARTMENT OF PUBLIC WORKS

MAINTENANCE OPERATIONS DIVISION

MAINTENANCE OPERATIONS GENERAL FUND

2. Supplies	250,000
4. Capital Outlay	<u>50,000</u>
TOTAL INCREASE	300,000

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

<u>MAINTENANCE OPERATIONS GENERAL FUND</u>	
Unappropriated and Unencumbered	
Maintenance Operations General Fund	<u>300,000</u>
TOTAL REDUCTION	300,000

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

PROPOSAL NO. 530, 1996. The proposal is an appropriation of \$700,000 for the Department of Public Works, Maintenance Operations Division, to pay for the removal of debris financed from the Solid Waste Collection Fund balances. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President convened the Solid Waste Collection Special Service District Council and called for public testimony at 7:38 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Gilmer, for adoption. Proposal No. 530, 1996 was adopted on the following roll call vote; viz:

28 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 ABSENT: Dowden

Proposal No. 530, 1996 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1996, and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (Solid Waste Collection Special Service District Fiscal Ordinance No. 3, 1995) appropriating an additional Seven Hundred Thousand Dollars (\$700,000) in the Solid Waste Collection Fund for purposes of the Department of Public Works, Maintenance Operation Division and reducing the unappropriated and unencumbered balance in the Solid Waste Collection Fund.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department Of Public Works, Maintenance Operations Division.

SECTION 2. The sum of Seven Hundred Thousand Dollars (\$700,000) 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 appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS
MAINTENANCE OPERATIONS DIVISION

SOLID WASTE COLLECTION FUND

3. Other Services and Charges	700,000
TOTAL INCREASE	700,000

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

SOLID WASTE COLLECTION FUND

Unappropriated and Unencumbered	
Solid Waste Collection Fund	700,000
TOTAL REDUCTION	700,000

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

The President declared the Solid Waste Collection Special Service District in recess and reconvened the City-County Council.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 525, 1996. Councillor Schneider reported that the Administration and Finance Committee heard Proposal No. 525, 1996 on August 6, 1996. The proposal, sponsored by Councillor Coughenour, is an appropriation of \$250,000 for the Department of Administration, Indianapolis Fleet Services Division, to pay for cost overruns due to the snow removal of 1996 and the purchase of a new wrecker financed by a transfer within the division's Consolidated County Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Coughenour, for adoption. Proposal No. 525, 1996 was adopted on the following roll call vote; viz:

28 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
0 NAYS:
1 ABSENT: Dowden

Proposal No. 525, 1996 was retitled FISCAL ORDINANCE NO. 81, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 81, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) transferring and appropriating an additional Two Hundred Fifty Thousand Dollars (\$250,000) in the Consolidated County Fund for purposes of the Department of Administration, Indianapolis Fleet Services Division and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Administration, Indianapolis Fleet Services Division to fund snow removal activities.

SECTION 2. The sum of Two Hundred Fifty Thousand Dollars (\$250,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

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<u>DEPARTMENT OF ADMINISTRATION</u> <u>INDIANAPOLIS FLEET SERVICES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	50,000
3. Other Services and Charges	75,000
4. Capital Outlay	<u>125,000</u>
TOTAL INCREASE	250,000

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

<u>DEPARTMENT OF ADMINISTRATION</u> <u>INDIANAPOLIS FLEET SERVICES DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
2. Supplies	<u>250,000</u>
TOTAL DECREASE	250,000

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

PROPOSAL NO. 526, 1996. Councillor Smith, speaking in Councillor Dowden's absence, reported that the Public Safety and Criminal Justice Committee heard Proposal No. 526, 1996 on August 15, 1996. The proposal is an appropriation of \$10,000 for the County Sheriff to fund a portion of a contractual staff person for Crime Stoppers financed by a transfer within the department's County General Fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Smith moved, seconded by Councillor Borst, for adoption. Proposal No. 526, 1996 was adopted on the following roll call vote; viz:

27 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams
0 NAYS:
1 NOT VOTING: Schneider
1 ABSENT: Dowden

Proposal No. 526, 1996 was retitled FISCAL ORDINANCE NO. 82, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) transferring and appropriating an additional Ten Thousand Dollars (\$10,000) in the County General Fund for purposes of the County Sheriff and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (y) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff Crime Stoppers program.

SECTION 2. The sum of Ten Thousand Dollars (\$10,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Service and Charges	<u>10,000</u>
TOTAL INCREASE	10,000

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

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>10,000</u>
TOTAL DECREASE	10,000

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

The President recessed the City-County Council and reconvened the Solid Waste Special Service District Council.

PROPOSAL NO. 529, 1996. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 529, 1996 on August 8, 1996. The proposal is an appropriation of \$275,000 for the Department of Public Works, Solid Waste Administration, to pay for unanticipated overtime financed by a transfer within the division's Solid Waste Collection Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 529, 1996 was adopted on the following roll call vote; viz:

28 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams

0 NAYS:

1 ABSENT: Dowden

Proposal No. 529, 1996 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1996, and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (Solid Waste Collection Special Service District Fiscal Ordinance No. 3, 1995) transferring and appropriating an additional Two Hundred Seventy-five Thousand Dollars (\$275,000) in the Solid Waste Collection Fund for purposes of the Department of Public Works, Solid Waste Administration and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Solid Waste Administration to pay for overtime.

SECTION 2. The sum of Two Hundred Seventy-five Thousand Dollars (\$275,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE COLLECTION FUND</u>
<u>SOLID WASTE ADMINISTRATION</u>	
1. Personal Services	<u>275,000</u>
TOTAL INCREASE	275,000

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

August 19, 1996

DEPARTMENT OF PUBLIC WORKS
SOLID WASTE ADMINISTRATION

3. Other Services and Charges
4. Capital Outlay
TOTAL DECREASE

SOLID WASTE COLLECTION FUND

175,000
100,000
275,000

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

The President recessed the Solid Waste Collection Special Service District Council and reconvened the City-County Council.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Moriarty Adams in memory of Mary Ellen Eiermann, Susan Feeney, Kathy Kriech; and
- (2) Councillors Coonrod, Franklin, Smith, and Talley in memory of Laurel Jean Fitch Schneider.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mary Ellen Eiermann, Susan Feeney, Kathy Kriech, and Laurel Jean Fitch Schneider. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

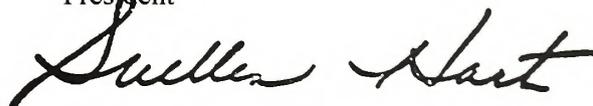
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 7:52 p.m.

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-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 19th day of August, 1996.

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)