

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

**REGULAR MEETINGS
MONDAY, MAY 22, 2000**

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 7:12 p.m. on Monday, May 22, 2000, with President SerVaas presiding.

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

ROLL CALL

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

29 PRESENT: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford
0 ABSENT:

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Soards recognized St. Monica's Boy Scout Troop 514. Councillor Conley introduced his wife, Judy, and stated that today is their seventh wedding anniversary. Councillor Nytes recognized Al Polin, a citizen who is commonly known as "Mayor of Mapleton/Fall Creek." Councillor Talley introduced Tina Bussell, president of the Devington Community Association and board member of the Citizen's Police Complaint Board. Councillor Moriarty Adams introduced constituent and chair of the Citizen's Police Complaint Board, Becky Childers. Councillor Gibson recognized citizen Chris Reeder.

OFFICIAL COMMUNICATIONS

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

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

Ladies And Gentlemen :

You are hereby notified 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, May 22, 2000, 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

May 9, 2000

TO PRESIDENT SERVAAS 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 *Court & Commercial Record* on Wednesday, May 10, 2000, and in the *Indianapolis Star* on Thursday, May 11, 2000, a copy of a Notice of Public Hearing on Proposal Nos. 311-316, 319-322, 324, and 326-331, 2000, said hearing to be held on Monday, May 22, 2000, at 7:00 p.m. in the City-County Building.

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

May 19, 2000

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

FISCAL ORDINANCE NO. 36, 2000 - approves an increase of \$465,000 in the 2000 Budget of the Marion County Justice Agency (Law Enforcement Equitable Share Fund) for a purchase option on 41 leased vehicles that are to be utilized by investigative personnel of the Indianapolis Police Department, financed by fund balances

FISCAL ORDINANCE NO. 37, 2000 - approves an increase of \$200,000 in the 2000 Budget of the Marion County Justice Agency (Law Enforcement Fund) to pay Gottleib & Wertz Inc. for contractual services for the JUSTIS system, financed by fund balances

GENERAL ORDINANCE NO. 54, 2000 - authorizes intersection controls for Creekbend Subdivision, Sections 1 and 2 (District 25)

GENERAL ORDINANCE NO. 55, 2000 - authorizes intersection controls for Westridge Village, Section 1 (District 18)

GENERAL ORDINANCE NO. 56, 2000 - authorizes intersection controls for Spring Mill Woods Subdivision (District 3)

GENERAL ORDINANCE NO. 57, 2000 - authorizes a multi-way stop at Bel Moore Boulevard and Samuel Drive (District 23)

GENERAL ORDINANCE NO. 58, 2000 - authorizes a multi-way stop at 23rd Street and Sheldon Street (District 22)

GENERAL ORDINANCE NO. 59, 2000 - authorizes a stop sign at Dollar Hide Drive and Wheel Horse Drive (District 19)

GENERAL ORDINANCE NO. 60, 2000 - authorizes a multi-way stop at 36th Street and Butler Avenue (District 10)

GENERAL ORDINANCE NO. 61, 2000 - authorizes parking restrictions on Emerson Court (District 10)

GENERAL ORDINANCE NO. 62, 2000 - authorizes parking restrictions in Moller Village Subdivision (District 9)

GENERAL ORDINANCE NO. 63, 2000 - authorizes parking restrictions on Sunset Avenue from Hampton Drive to Lake Road (District 6)

GENERAL ORDINANCE NO. 64, 2000 - authorizes parking restrictions on Walnut Street between Cleveland Street and East Street (District 22)

GENERAL ORDINANCE NO. 65, 2000 - authorizes parking restrictions on 38th Street North Drive between Whittier Place and Layman Avenue (District 14)

GENERAL ORDINANCE NO. 66, 2000 - authorizes parking restrictions on 12th Street near Dr. Martin Luther King Jr. Street (District 16)

GENERAL ORDINANCE NO. 67, 2000 - authorizes the deletion of one-way traffic flow on Pine Street between Bates Street and Daley Street (District 16)

GENERAL ORDINANCE NO. 68, 2000 - authorizes a weight limit restriction on Banta Road from Belmont Street to Tibbs Avenue (District 25)

SPECIAL ORDINANCE NO. 40, 2000 - a special ordinance for final action on the Oasis of Hope Development Corporation, Inc. Project in an amount not to exceed \$4,000,000 to be used for the acquisition, construction and rehabilitation of a 185-unit apartment complex on an approximately 526,866 square foot parcel of land to be located at 2372 Beckwith Drive (New Bridges Apartments Project) (District 10)

GENERAL RESOLUTION NO. 1, 2000 - acquires real estate currently owned by Stephen L. Capper that is necessary for the Pogues Run Flood Control Project

GENERAL RESOLUTION NO. 2, 2000 - acquires real estate currently owned by Florence E. Capper, Stephen L. Capper, and Darla Jo Capper that is necessary for the Pogues Run Flood Control Project

SPECIAL RESOLUTION NO. 31, 2000 - recognizes St. Luke's United Methodist Church and its Senior Pastor Dr. Kent Millard

SPECIAL RESOLUTION NO. 32, 2000 - recognizes Arsenal Technical High School Academic All Star winner Benjamin M. Zwickl

SPECIAL RESOLUTION NO. 33, 2000 - recognizes the public service of Ken Pennington

SPECIAL RESOLUTION NO. 34, 2000 - recognizes the Fletcher Family "Celebration of Life Fund Raiser" for the Walther Family Institute

SPECIAL RESOLUTION NO. 35, 2000 - recognizes the Seventh Anniversary of Butler University's WTBU-TV Nuestra Musica broadcasts which highlight the Latino culture

SPECIAL RESOLUTION NO. 36, 2000 - recognizes the public service of Charles Snyder, Chief Operations Officer, Department of Public Works

SPECIAL RESOLUTION NO. 37, 2000 - an inducement resolution for Carriage House South Limited, L.P. in an amount not to exceed \$12,000,000 to be used for the acquisition and renovation of the existing 358 unit Carriage House South Apartments located at 7626 Portage Avenue (Carriage House South Apartments Project) (District 20)

SPECIAL RESOLUTION NO. 38, 2000 - an inducement resolution for Light of the World Living Center, L.P.- 2000 in an amount not to exceed \$3,000,000 to be used for the construction of a 114 unit elderly apartment facility to be located at 4201 Moller Road (Light of the World Living Center Project) (District 9)

SPECIAL RESOLUTION NO. 39, 2000 - an inducement resolution for Broad Ripple Lakes L.P. in an amount not to exceed \$2,100,000 for the rehabilitation of 398 apartment units in 38 buildings at North Oaks Apartments located at 5018 LeMans Drive (District 6)

SPECIAL RESOLUTION NO. 40, 2000 - an inducement resolution for Kingsmill II, L.P. in an amount not to exceed \$6,000,000 to be used for the construction of 80 new apartment units (40 new two-bedroom, two-bath, and 40 new three-bedroom units) located at 6363 Commons Drive (District 1)

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of May 8, 2000. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 367, 2000. The proposal, sponsored by Councillor Hinkle, recognizes Dr. Robert Burgbacher, Executive Director of the Mary Rigg Neighborhood Center. Councillor Hinkle read the proposal and stated that a presentation will be made to Mr. Burgbacher on June 10, 2000. Councillor Hinkle moved, seconded by Councillor Coughenour, for adoption. Proposal No. 367, 2000 was adopted by a unanimous voice vote.

Proposal No. 367, 2000 was retitled SPECIAL RESOLUTION NO. 41, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 2000

A SPECIAL RESOLUTION recognizing Dr. Robert Burgbacher, Executive Director of the Mary Rigg Neighborhood Center.

WHEREAS, twenty years ago when Jimmy Carter was President and men's sideburns were in fashion, former minister Dr. Robert Burgbacher arrived as the new Executive Director of the Mary Rigg Neighborhood Center on West Morris Street; and

WHEREAS, under "Dr. Bob's" two decade long tenure, the Center has grown to become a full service home for those in need; and

WHEREAS, the Mary Rigg Center has counseling and referral services, along with programs that help people pull themselves up by the bootstraps from long term cycles of poverty and dependency, by giving students the tools and training to assist them with improved attitudes, morale and the job skills that gives them a chance to move up to a better life than welfare and minimum wage; and

WHEREAS, "Dr. Bob's" special love has always been the young people, and on June 10, 2000, he will place himself at the center of attention at a special "Dr. Bob-B-Que" fund raiser to help raise money for expanding the Center's summer youth day camps; 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 recognizes the dynamic work during the past two decades by Dr. Robert Burgbacher, Executive Director of the Mary Rigg Neighborhood Center.

SECTION 2. May the past 20 years serve as just a warm up exercise for what the future holds for this energetic and caring man, as well as for the staff and all others who are associated with the Mary Rigg Center.

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. 368, 2000. The proposal, sponsored by Councillors Horseman, Gibson, Soards, and Langsford, recognizes the First Annual "Taste of African Foods" fund raiser for the African Community International Center. Councillor Horseman read the proposal and presented representatives with copies of the document and Council pins. Councillor Gibson welcomed the event to Indianapolis and wished the Center much success. Mr. Jiselle Asende stated that he is humbled to be here, and is glad the City is recognizing the presence of African immigrants in Indianapolis. He said that the population has grown from 3,000 to 6,000 in the last 30 years and is expected to grow to 15,000 in the next ten years. He introduced representatives of various African countries: Nigeria, Utopia, North Africa, Zaire, Kenya, South Africa, and Liberia. Councillor Horseman moved, seconded by Councillor Gibson, for adoption. Proposal No. 368, 2000 was adopted by a unanimous voice vote.

Proposal No. 368, 2000 was retitled SPECIAL RESOLUTION NO. 42, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 2000

A SPECIAL RESOLUTION recognizing the First Annual "Taste of African Foods" fund raiser for the African Community International Center.

WHEREAS, the three-year-old African Community International Center is an offspring of the African Arts Group, a think tank group of concerned African residents living in the United States; and

WHEREAS, the Center at 920 East Michigan Street works to provide an awareness of African culture through the mediums of fashion, music, dance and performances, along with offering assistance to African immigrants; and

WHEREAS, the newest addition to the Center's programming is a First Annual "Taste of African Foods" dinner-event on June 10, 2000, at 5:30 p.m., in the Pan-Am Plaza; and

WHEREAS, the educational buffet dinner will feature foods representing 16 African nations, as well as a recipes pamphlet, music and an educational tour of the featured menus; 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 recognizes the African Community International Center for their First Annual "Taste of African Foods," and wishes them the best of success.

SECTION 2. What better way to extend hospitality to guests and strangers, and to learn about other cultures and traditions, than through food and music.

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. 369, 2000. The proposal, sponsored by Councillors Hinkle and Bainbridge, recognizes the Department of Metropolitan Development service of Dennis Pappenmeier. Councillor Hinkle read the proposal and presented Mr. Pappenmeier with a copy of the document and a Council pin. Councillors Cockrum, Bainbridge, Brents, and Tilford commended Mr. Pappenmeier on his service and stated that he has been very helpful and will be sorely missed. Mr. Pappenmeier thanked the Council for the recognition and introduced his dad Gerald, his stepmom Edie, and his son Luke. Councillor Hinkle moved, seconded by Councillor Bainbridge, for adoption. Proposal No. 369, 2000 was adopted by a unanimous voice vote.

Proposal No. 369, 2000 was retitled SPECIAL RESOLUTION NO. 43, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 43, 2000

A SPECIAL RESOLUTION recognizing the Department of Metropolitan Development service of Dennis Pappenmeier.

WHEREAS, Dennis Pappenmeier is a native of Elkhart, Indiana, and was the Keynote Speaker at his Warren Central High School graduation ceremony; and

WHEREAS, shortly after graduating from Butler University, and becoming an official Bulldog Alumni, he was hired by the City of Indianapolis as a traffic sign installer where he volunteered to reorganize handicapped permits and then proceeded to create a digital database to reduce the abuses of the signs; and

WHEREAS, over the years his responsibilities increased to traffic analyst, street light manager, the Barrett Law Coordinator, and later as the Wayne Township Coordinator for the Department of Metropolitan Development; and

WHEREAS, Mr. Pappenmeier was very locally active as Wayne Township Coordinator where he was involved with the All-City Drug March, the Lafayette Square Area Plan, countless zoning cases and day after day served as a key link between the Westside residents and City Hall; 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 recognizes and commends the effective work of Dennis Pappenmeier as the Department of Metropolitan Development's Wayne Township Coordinator.

SECTION 2. The Council hopes that his new position at Keep Indianapolis Beautiful will allow Mr. Pappenmeier to participate more with his outside interests of his Church, golf, tennis and his favorite Political Party.

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.

President SerVaas asked for consent to vote on Proposal Nos. 370-373, 2000 together. Consent was given.

PROPOSAL NO. 370, 2000. The proposal, sponsored by Councillor Boyd, thanks William Powers for his service on the Citizens Police Complaint Board. PROPOSAL NO. 371, 2000. The proposal, sponsored by Councillor Boyd, thanks Wayne Volda for his service on the Citizens Police Complaint Board. PROPOSAL NO. 372, 2000. The proposal, sponsored by Councillor Boyd, thanks Leah Orr for her service on the Citizens Police Complaint Board. PROPOSAL NO. 373, 2000. The proposal, sponsored by Councillor Boyd, thanks Vincent Burke for his service on the Citizens Police Complaint Board. Councillor Boyd read the proposals and presented honorees with copies of the documents and Council pins. He recognized Mr. Volda and Mr. Burke for providing an ex-officio police presence on the board and stated that this was an intelligent approach and reasonable compromise from having no police presence on the board. Becky Childers, chair of the Citizen's Police Complaint Board, presented Mr. Powers with a certificate and gavel. Councillor Langsford recognized Mr. Powers for supporting public safety through his efforts with the Indianapolis 100 Club, an organization that helps the families of firefighters and police officers who have been injured or killed. He recognized Susie Powers, Mr. Powers' wife, who serves on the City Market Board. Councillor Dowden stated that the Public Safety Department Director has always had positive things to say about those who have been chosen to

serve on this board. Councillor Boyd moved, seconded by Councillor Dowden, for adoption. Proposal Nos. 370-373, 2000 were adopted by a unanimous voice vote.

Proposal No. 370, 2000 was retitled SPECIAL RESOLUTION NO. 44, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 2000

A SPECIAL RESOLUTION thanking William Powers for his service on the Citizens Police Complaint Board.

WHEREAS, Indianapolis is fortunate that interested citizens volunteer their time and talents to serve on boards and commissions which play an important role in local government; and

WHEREAS, one such local governmental entity is the Citizens Police Complaint Board which is comprised of local residents who review complaints about Indianapolis police officers; and

WHEREAS, William Powers, a local attorney, served on the two Boards from January, 1991, through December, 1999, and was the first President of the new Citizens Police Complaint Board; and

WHEREAS, Mr. Powers brought a very important sense of continuity to the new Board in 1998, and guided the new Board members through the process of formulating guidelines for their governance and processes; 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 thanks William Powers for his volunteer public service on both of the Citizens Police Complaint Boards from 1991 through 1999.

SECTION 2. The Council wishes Mr. Powers well in the future.

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. 371, 2000 was retitled SPECIAL RESOLUTION NO. 45, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 2000

A SPECIAL RESOLUTION thanking Sgt. Wayne Volda for his service on the Citizens Police Complaint Board.

WHEREAS, Indianapolis is fortunate that interested citizens volunteer their time and talents to serve on boards and commissions which play an important role in local government; and

WHEREAS, one such local governmental entity is the Citizens Police Complaint Board which is comprised of local residents who review complaints about Indianapolis police officers; and

WHEREAS, Sgt. Wayne Volda was an inaugural member of the current Citizens Police Complaint Board in 1998, and served diligently during his two year term; and

WHEREAS, Sgt. Volda was responsible for advising the other members of the Board about the intricacies and nuances of police work and the numerous police procedures to help bridge the gap between theory and actual practice; 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 thanks Sgt. Wayne Volda for his volunteer public service on the Citizens Police Complaint Board for his two year term from 1998 through 1999.

SECTION 2. The Council wishes him well in the future.

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. 372, 2000 was retitled SPECIAL RESOLUTION NO. 46, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 2000

A SPECIAL RESOLUTION thanking Leah Orr for her service on the Citizens Police Complaint Board.

WHEREAS, Indianapolis is fortunate that interested citizens volunteer their time and talents to serve on boards and commissions which play an important role in local government; and

WHEREAS, one such local governmental entity is the Citizens Police Complaint Board which is comprised of local residents who review complaints about Indianapolis police officers; and

WHEREAS, Leah Orr was an inaugural member of the current Citizens Police Complaint Board in 1998, and served diligently during her two year term; and

WHEREAS, Ms. Orr's passion for communication and education about the availability of the Board's service to the public helped establish the Board's resolve to create informational brochures about police procedures and the current process for resolving citizens concerns; 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 thanks Leah Orr for her volunteer public service on the Citizens Police Complaint Board for her two year term from 1998 through 1999.

SECTION 2. The Council wishes her will in the future.

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. 373, 2000 was retitled SPECIAL RESOLUTION NO. 47, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 47, 2000

A SPECIAL RESOLUTION thanking Sgt. Vincent Burke for his service on the Citizens Police Complaint Board.

WHEREAS, Indianapolis is fortunate that interested citizens volunteer their time and talents to serve on boards and commissions which play an important role in local government; and

WHEREAS, one such local governmental entity is the Citizens Police Complaint Board which is comprised of local residents who review complaints about Indianapolis police officers; and

WHEREAS, Sgt. Vincent Burke was an inaugural member of the current Citizens Police Complaint Board in 1998, and served diligently during his two year term; and

WHEREAS, Sgt. Burke was responsible for advising the other members of the Board about the intricacies and nuances of police work and the numerous police procedures to help bridge the gap between theory and actual practice; 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 thanks Sgt. Burke for his volunteer public service on the Citizens Police Complaint Board for his two year term from 1998 through 1999.

SECTION 2. The Council wishes him well in the future.

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. 366, 2000. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 366, 2000 on May 9, 2000. The proposal approves and adopts the recommendation of the Cable Franchise Board that cable franchise applications be accepted from Digital Access Corporation of Indiana and TOTALink of Indiana, LLC. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Massie moved, seconded by Councillor Borst, for adoption.

Councillor Soards stated that he will abstain from voting on Proposal No. 366, 2000.

Proposal No. 366, 2000 was adopted by a voice vote.

Proposal No. 366, 2000 was retitled COUNCIL RESOLUTION NO. 59, 2000, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 2000

A COUNCIL RESOLUTION approving and adopting the recommendation of the Cable Franchise Board that cable franchise applications be accepted from Digital Access Corporation of Indiana and TOTALink of Indiana, LLC.

WHEREAS, the Cable Franchise Board after public hearing adopted the recommendation of the Cable Agency director that applications for cable franchises be accepted from Digital Access Corporation of Indiana and TOTALink of Indiana, LLC.; and

WHEREAS, the Council Committee of Rules and Public Policy has considered the matter and recommends that the Council affirm that recommendation; now, therefore:

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

SECTION 1. The recommendation of the director of the Cable Communications Agency, be and is hereby approved.

SECTION 2. Digital Access Corporation of Indiana and TOTALink of Indiana, LLC. shall file their applications for cable franchises with the Clerk within sixty (60) days of the adoption of this resolution.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 358, 2000. Introduced by Councillor Coonrod. The Clerk read the proposal entitled: "A Proposal for a General Resolution which provides for a contingency salary range

allowing the Information Technology Board to pay a salary to the Chief Information Officer that exceeds the current maximum county employee salary"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 359, 2000. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,200,000 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General Fund) to match federal highway funds for the design of improvements at various thoroughfares within Marion County, financed by fund balances"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 360, 2000. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves certain public purpose grants totaling \$750,000 for support of the arts"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 361, 2000. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$100,000 in the 2000 Budgets of the County Auditor and Forensic Services Agency (County General Fund) to pay part of the salary of an additional chemist for six months and to purchase additional supplies/chemicals and services, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 362, 2000. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$30,000 in the 2000 Budgets of the County Auditor and Forensic Services Agency (Pre-Trial Release Fund) to pay part of the salary of an additional chemist for six months, financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 363, 2000. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$445,100 in the 2000 Budgets of the County Auditor and Marion County Justice Agency (State and Federal Grants Fund) to fund salaries for law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 364, 2000. Introduced by Councillors Coughenour and Cockrum. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$403,000 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (State Grants and Sanitation General Funds) to construct a sewer extension project for SVC Manufacturing in the AmeriPlex Industrial Park in Decatur Township, financed by a grant from the Indiana Department of Commerce and a payment from SVC Manufacturing"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 365, 2000. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$32,000 and an increase of \$154,600 in the 2000 Budget of the Department of Public Works, Environmental Resources Management Division (Consolidated County Fund) to undertake ozone monitoring and environmental inspections, financed by a transfer and a reduction in fund balances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 374, 2000. Introduced by Councillor Tilford. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Cindy Urban to the Indianapolis Public Transportation Corporation Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 375, 2000. Introduced by Councillor Knox. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which determines that a health hazard exists in the ground water of the Drexel Gardens area and that the appropriate remedy for such health hazard is the extension of water service by the Indianapolis Water Company to this area"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Knox made the following motion:

Mr. President:

I move that Proposal No. 384, 2000, (Rezoning Case 2000-ZON-042) be scheduled for a hearing before this Council at its next regular meeting on Monday, June 19, 2000, at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Soards asked for the reasoning behind this motion. Councillor Knox stated that the property is an abandoned school across from the zoo and is located on a main thoroughfare. He said that there are several churches in the immediate area and this community would be better served by developing this property into residential housing to generate taxes. Councillor Horseman seconded the motion, and Proposal No. 384, 2000 was scheduled for a public hearing on June 19, 2000 by a unanimous voice vote. Proposal No. 384, 2000 is identified as follows:

2000-ZON-042
1428 EVERETT STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 17
THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST
OF LATTER DAY SAINTS, by Cameron F. Clark, requests a rezoning of 1.66 acres, being in the
D-8 District, to the SU-1 classification to provide for religious uses.

PROPOSAL NO. 376, 2000, PROPOSAL NO. 377, 2000, PROPOSAL NOS. 378-380, 2000 and PROPOSAL NOS. 381-383 AND 386-390, 2000. Introduced by Councillor Hinkle. Proposal No. 376, 2000, Proposal No. 377, 2000, Proposal Nos. 378-380, 2000 and Proposal Nos. 381-383 and 386-390, 2000 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on May 18, 2000. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 99-111, 2000, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 99, 2000.
99-Z-175
3110 - 3150 BETHEL AVENUE (approximate addresses), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21
METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 2.11 acres, being in the D-A District, to the C-3 classification to conform the property to the Southeastside Neighborhood Plan.

REZONING ORDINANCE NO. 100, 2000.

99-CP-40Z (Amended)

4801 RACEWAY ROAD (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1

THE STRIEBECK COMPANY, LTD., by Philip A. Nicely, requests a rezoning of 144.68 acres, being in the D-S District, to the PK-II classification to provide for single-family residential development.

REZONING ORDINANCE NO. 101, 2000.

99-Z-163

9001 CAMBY ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19

RAGHUNATH AND AMMU NAIR, by Michael J. Kias, request a rezoning of 46.69 acres, being in the D-A District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 102, 2000.

99-Z-166

743 - 749 EAST PLEASANT RUN PARKWAY, SOUTH DRIVE (approximate addresses), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 20

CITY OF INDIANAPOLIS/ DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of 0.47 acre, being in the D-5 District, to the SU-1 classification to legally establish an existing church.

REZONING ORDINANCE NO. 103, 2000.

99-Z-206

8410 EAST 21st STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

BARRETT AND STOKELY, by Michael C. Cook, requests a rezoning of 1.90 acres, being in the D-A District, to the C-1 classification to provide for a day care center.

REZONING ORDINANCE NO. 104, 2000.

99-Z-217 (99-DP-34)

4620 EAST STOP 11 ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

CROSSMANN COMMUNITIES PARTNERSHIP, by Stephen D. Mears, requests a rezoning of 68.8 acres, being in the D-A District, to the D-P classification to provide for single-family residential development.

REZONING ORDINANCE NO. 105, 2000.

2000-ZON-012

5935 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

ZONED D-A

TERRY A. BABBIT AND BAIRD AND YOUNG, by Ray Good, request the rezoning of 5.23 acres, being in the D-A District to the C-S classification to provide for all C-1 uses and certain C-3 retail uses.

REZONING ORDINANCE NO. 106, 2000.

2000-ZON-041

5120 EAST 64th STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 4

KENNETH E. SCHMIDT, by Michael D. Keele, requests a rezoning of 2.71 acres, being in the D-3 and C-1 Districts, to the C-S classification to provide for office/warehouse development.

REZONING ORDINANCE NO. 107, 2000.

2000-ZON-046

942 WEST TROY AVENUE (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 25

DENNIS MANN requests a rezoning of 28.849 acres, being in the I-3-U District, to the I-4-U classification to provide for a ready mix concrete batch plant and construction of a truck repair facility, with an office.

REZONING ORDINANCE NO. 108, 2000.

2000-ZON-049

3700 WEST 21st STREET (approximate address), INDIANAPOLIS
WAYNE TOWNSHIP, COUNCILMANIC DISTRICTS # 8, 16
GEORGETOWN REALTY COMPANY, INC., by James B. Burroughs, requests a rezoning of
126.708 acres, being in the D-A, D-6II, and SU-9 Districts, to the C-S classification to provide for a
golf course and other accessory uses, associated with the Indianapolis Motor Speedway.

REZONING ORDINANCE NO. 109, 2000.

2000-ZON-052

5301 NORTH FRANKLIN ROAD (approximate address), CITY of LAWRENCE,
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5
MORSPOITS, LLC requests a rezoning of 8.0 acres, being in the PK-1 District, to the SU-16
classification to provide for an indoor and outdoor soccer stadium and attendant ancillary uses.

REZONING ORDINANCE NO. 110, 2000.

2000-ZON-806

2606-2624 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15
TERRY GOINS, by Thomas Michael Quinn, requests a rezoning of 0.58 acre, being in the C-3
District, to the C-5 classification to provide for an automobile sales business.

REZONING ORDINANCE NO. 111, 2000.

2000-ZON-811

1499 NORTH SHERMAN DRIVE (approximate address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10
ZONED D-5, C-7
MORPHEY CONSTRUCTION, INC., by Joseph D. Calderon, requests a rezoning of 1.69 acres,
being in the D-5 and C-7 Districts, to the I-2-U classification to provide for a general contracting
business.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 311, 2000. Councillor Coonrod reported that the Administration and Finance Committee heard Proposal No. 311, 2000 on May 16, 2000. The proposal, sponsored by Councillor Massie, approves an increase of \$84,000 in the 2000 Budget of the Cable Communications Agency (Consolidated County Fund) to replace outdated video cameras and other related equipment for Channel 16, financed by a cable franchise Public, Educational or Governmental Access Facilities (P.E.G.) 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 8:02 p.m. Andrea Price, president of Public Access of Indianapolis, stated that this grant fund has been designated for public, educational, and governmental use. She said that the lion share of the fund that has been spent to date has been used solely for capital equipment for Channel 16 government programming. She encouraged Council members to support more use of these funds for educational and public programming.

Councillor Coonrod moved, seconded by Councillor Massie, for adoption. Proposal No. 311, 2000 was adopted on the following roll call vote; viz:

29 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley
0 NAYS:

Proposal No. 311, 2000 was retitled FISCAL ORDINANCE NO. 38, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 2000) appropriating an additional Eighty-four Thousand Dollars (\$84,000) in the Consolidated County Fund for purposes of the Cable Communications Agency and reducing the unappropriated and unencumbered balance in the Consolidated County 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(d) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Cable Communications Agency to replace two outdated cameras and other related video equipment needed for Channel 16 productions.

SECTION 2. The sum of Eighty-four Thousand Dollars (\$84,000) 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:

<u>CABLE COMMUNICATIONS AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
4. Capital Outlay	84,000
TOTAL INCREASE	84,000

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	84,000
TOTAL REDUCTION	84,000

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

Councillor Smith reported that the Capital Asset Management Committee heard Proposal Nos. 312-315, 2000 on May 17, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 312, 2000. The proposal, sponsored by Councillors Smith and Bainbridge, approves an increase of \$600,000 in the 2000 Budget of the Department of Capital Asset Management, Asset Management Division (Transportation General and State Grants Funds) to enhance the 16th Street/Crawfordsville Road Corridor, financed by a state grant (\$100,000) and a contribution from the Town of Speedway (\$500,000). PROPOSAL NO. 313, 2000. The proposal, sponsored by Councillor Smith, approves an increase of \$3,599,519 in the 2000 Budget of the Department of Capital Asset Management (State Grants and Transportation General Funds) to continue the reconstruction of streets, landscaping, and storm sewer improvements near the Eli Lilly headquarters complex, funded by contributions from Eli Lilly Corporation and an Indiana Department of Commerce grant. PROPOSAL NO. 314, 2000. The proposal, sponsored by Councillor Smith, approves an increase of \$100,000 in the 2000 Budget of the Department of Capital Asset Management (Transportation General Fund) to study five major intersections in Marion County for potential operational and safety improvements, financed by a grant from State Farm Insurance Companies. PROPOSAL NO. 315, 2000. The proposal, sponsored by Councillors Borst and Smith, approves a re-appropriation of \$352,350 in the 2000 Budget of the Department of Capital Asset Management (State Grants Fund) to match federal funds for the widening of Harding Street from Raymond Street to Hanna Avenue, financed with funds

remaining on a 1998 Build Indiana grant. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:09 p.m. There being no one present to testify, Councillor Smith moved, seconded by Councillor Borst, for adoption. Proposal Nos. 312-315, 2000 were adopted on the following roll call vote; viz:

28 YEAS: *Bainbridge, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford*
 0 NAYS:
 1 NOT VOTING: *Black*

Proposal No. 312, 2000 was retitled FISCAL ORDINANCE NO. 39, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 2000) appropriating an additional Five Hundred Thousand dollars (\$500,000) in the Transportation General Fund and One Hundred Thousand dollars (\$100,000) in the State Grants Fund for purposes of the Department of Capital Asset Management and reducing the unappropriated and unencumbered balance in the Transportation General and State Grants Funds.

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 2000 be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Capital Asset Management, Asset Management Division, to enhance the 16th Street/Crawfordsville Road Corridor.

SECTION 2. The sum of additional Six Hundred Thousand dollars (\$600,000) 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:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	
4. Properties and Equipment	<u>500,000</u>
TOTAL INCREASE	500,000

TRANSPORTATION GENERAL FUND

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	
<u>ASSET MANAGEMENT DIVISION</u>	
4. Capital Outlay	<u>100,000</u>
TOTAL INCREASE	100,000

STATE GRANTS FUND

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

<u>TRANSPORTATION GENERAL FUND</u>	
Unappropriated and Unencumbered Transportation General Fund	<u>500,000</u>
TOTAL REDUCTION	500,000

<u>STATE GRANTS FUND</u>	
Unappropriated and Unencumbered State Grants Fund	<u>100,000</u>
TOTAL REDUCTION	100,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or

project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This appropriation of \$100,000 from the State Grants fund shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the capital project described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 313, 2000 was retitled FISCAL ORDINANCE NO. 40, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 2000) appropriating an additional Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000) in the Transportation General Fund and One Million Three Hundred Forty-nine Thousand Five Hundred Nineteen Dollars (\$1,349,519) in the State Grants Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Transportation General and State Grants Funds.

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 2000 be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of the Department of Capital Asset Management, Asset Management Division, to continue the street reconstruction, landscaping, and storm sewer improvements near the Eli Lilly headquarters complex.

SECTION 2. The sum of Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000) in the Transportation General Fund and One Million Three Hundred Forty-nine Thousand Five Hundred Nineteen Dollars (\$1,349,519) 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:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>		
<u>ASSET MANAGEMENT DIVISION</u>		<u>TRANSPORTATION GENERAL FUND</u>
4. Capital Outlay		<u>2,250,000</u>
TOTAL INCREASE		2,250,000
 <u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>		
<u>ASSET MANAGEMENT DIVISION</u>		<u>STATE GRANTS FUND</u>
4. Capital Outlay		<u>1,349,519</u>
TOTAL INCREASE		1,349,519

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	<u>2,250,000</u>
TOTAL REDUCTION	2,250,000
	 <u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
State Grants Fund	<u>1,349,519</u>
TOTAL REDUCTION	1,349,519

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

Proposal No. 314, 2000 was retitled FISCAL ORDINANCE NO. 41, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 2000) appropriating an additional One Hundred Thousand Dollars (\$100,000) in the Transportation General Fund for purposes of the Department of Capital Asset Management and reducing the unappropriated and unencumbered balance in the Transportation 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 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management to study five major intersections in Marion County for potential operational and safety improvements.

SECTION 2. The sum of an additional One Hundred Thousand Dollars (\$100,000) 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:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	<u>TRANSPORTATION GENERAL FUND</u>
3. Other Services and Charges	100,000
TOTAL INCREASE	100,000

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

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Transportation General Fund	100,000
TOTAL REDUCTION	100,000

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

Proposal No. 315, 2000 was retitled FISCAL ORDINANCE NO. 42, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 2000) re-appropriating Three Hundred Fifty-two Thousand Three Hundred Fifty Dollars (\$352,350) in the State Grants Fund for purposes of the Department of Capital Asset Management and reducing the unappropriated and unencumbered balance in the State Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(L) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of re-appropriating funds remaining on a 1998 Build Indiana grant to match federal funds for the widening of Harding Street from Raymond Street to Hanna Avenue.

SECTION 2. The sum of an additional Three Hundred Fifty-two Thousand Three Hundred Fifty Dollars (\$352,350) 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:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u>	<u>STATE GRANTS FUND</u>
4. Capital Outlay	352,350
TOTAL INCREASE	352,350

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

	<u>STATE GRANTS FUND</u>
Unappropriated and Unencumbered	
State Grants Fund	352,350
TOTAL REDUCTION	352,350

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

Councillor Cockrum reported that the Parks and Recreation Committee heard Proposal Nos. 316 and 317, 2000 on May 11, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 316, 2000. The proposal, sponsored by Councillor Cockrum, approves an increase of \$125,000 in the 2000 Budget of the Department of Parks and Recreation (Park General Fund) to acquire a Conservation and Recreation Easement for the purpose of establishing Town Run Trail Park in northeast Marion County, financed by fund balances. PROPOSAL NO. 317, 2000. The proposal, sponsored by Councillor Schneider, approves a conservation and recreation easement, in perpetuity, between the Department of Parks and Recreation and Oliver B. Daugherty, owner. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:14 p.m. There being no one present to testify, Councillor Cockrum moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 316 and 317, 2000 were adopted on the following roll call vote; viz:

25 YEAS: *Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nyles, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley*
0 NAYS:
4 NOT VOTING: *Coonrod, Gibson, Gray, Tilford*

Proposal No. 316, 2000 was retitled FISCAL ORDINANCE NO. 43, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 2000) appropriating an additional One Hundred Twenty-five Thousand Dollars (\$125,000) in the Park General Fund for purposes of the Department of Parks and Recreation and reducing certain other appropriations for that 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(n) of the City-County Annual Budget for 2000 be, and is hereby amended by

the increases and reductions hereinafter stated for the purposes of the Department of Parks and Recreation to acquire a Conservation and Recreation Easement on 65 acres owned by Oliver B. Daugherty for the purpose of establishing Town Run Trail Park in northeast Marion County.

SECTION 2. The sum of One Hundred Twenty-five Thousand Dollars (\$125,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
4. Capital Outlay	125,000
TOTAL INCREASE	125,000

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

	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	125,000
TOTAL REDUCTION	125,000

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

Proposal No. 317, 2000 was retitled GENERAL RESOLUTION NO. 3, 2000, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 2000

A PROPOSAL FOR A GENERAL RESOLUTION RESOLUTION establishing that the City-County Council of Indianapolis and Marion County, Indiana, is interested in purchasing a conservation and recreation easement of specified land.

WHEREAS, the City-County of the City of Indianapolis and Marion County, Indiana ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-10.5-1, et seq; and

WHEREAS, pursuant to IC 36-1-10.5-5 the City of Indianapolis may purchase an interest in land only after the City-County Council passes a resolution to the effect that the City-County Council is interested in acquiring an interest in specified land; and

WHEREAS, the City of Indianapolis wishes to purchase an interest in a particular parcel of real estate located in Marion County, Washington Township, Indiana, which is described in Exhibit "A", which is attached hereto and incorporated herein, ("Real Estate"), for the proposed Town Run Trail Park project; and

WHEREAS, the City-County Council, having considered the acquisition of the conservation and recreation easement, in perpetuity, and being duly advised, finds that the City-County Council has an interest in acquiring the proposed interest in the specified Real Estate, now, therefore:

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

SECTION 1. The City-County Council hereby establishes that the City-County Council has an interest in acquiring a conservation and recreation easement in the Real Estate.

SECTION 2. For purposes of Revised Code Sec. 151-66 the Real Estate is owned in fee simple by Oliver B. Daugherty, a private individual.

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

Councillor Dowden asked for consent to vote on Proposal No. 322, 2000 next on the agenda. Consent was given.

PROPOSAL NO. 322, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 322, 2000 on May 10, 2000. The proposal approves an increase of \$59,450 in the 2000 Budget of the Prosecuting Attorney (State and Federal Grants Fund) to provide for the start-up costs of the Community Court, financed by transfers of U.S. Department of Justice funds from the County Auditor, Clerk of the Circuit Court, Marion County Public Defender Agency, and the Marion Court Superior Court. By an 8-1 vote, the Committee reported the proposal to the Council with the recommendation that it be postponed until June 21, 2000. Councillor Dowden moved, seconded by Councillor Borst, to postpone Proposal No. 322, 2000 until July 10, 2000. Proposal No. 322, 2000 was postponed by a unanimous voice vote.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 319-321, 324, and 326, 2000 on May 10, 2000. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 319, 2000. The proposal approves an increase of \$106,499 in the 2000 Budgets of the of the County Auditor and the Prosecuting Attorney (State and Federal Grants Fund) to provide funding for the supervisor and support costs of the Community Prosecution Unit, funded by the U.S. Department of Justice, Office of Justice Programs (Strategies in Community Prosecution). PROPOSAL NO. 320, 2000. The proposal approves an increase of \$7,269 in the 2000 Budget of the Prosecuting Attorney (State and Federal Grant Fund) to amend the Victim Advocate Grant by increasing the federal award for personnel (Crime Victims Assistance Grant). PROPOSAL NO. 321, 2000. The proposal approves an increase of \$4,066 in the 2000 Budget of the Prosecuting Attorney (State and Federal Grants Fund) from surplus fringes in the County Auditor's budget to utilize federal funds (Crime Victims Assistance Grant). PROPOSAL NO. 324, 2000. The proposal approves an increase of \$492,116 in the 2000 Budgets of the County Auditor, Prosecuting Attorney, Marion County Public Defender Agency, County Sheriff, and Marion County Superior Court (State and Federal Grants Fund) to continue the expedited court project for an additional year, funded by a U.S. Department of Justice, Office of Justice Program Grant. PROPOSAL NO. 326, 2000. The proposal approves an increase of \$161,140 in the 2000 Budget of the County Auditor and the Marion County Public Defender Agency (State and Federal Grants Fund) to continue the Sentencing Alternative Program, funded by a grant from the Indiana Criminal Justice Agency. By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

The President called for public testimony at 8:21 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal Nos. 319-321, 324, and 326, 2000 were adopted on the following roll call vote; viz:

28 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford

0 NAYS:

1 NOT VOTING: Brents

Proposal No. 319, 2000 was retitled FISCAL ORDINANCE NO. 44, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Hundred Six Thousand Four Hundred Ninety-nine Dollars (\$106,499) in the State and Federal Grants Fund for purposes of the County Auditor and the

Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,v) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and the Prosecuting Attorney to provide funding for the supervisor and support costs of the Community Prosecution Unit.

SECTION 2. The sum of One Hundred Six Thousand Four Hundred Ninety-nine Dollars (\$106,499) 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:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	19,720
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	77,720
3. Other Services and Charges	6,960
4. Capital Outlay	<u>2,000</u>
TOTAL INCREASE	106,499

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>106,499</u>
TOTAL REDUCTION	106,499

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

Proposal No. 320, 2000 was retitled FISCAL ORDINANCE NO. 45, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Seven Thousand Two Hundred Sixty-nine Dollars (\$7,269) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(v) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to amend the Victim Advocate Grant by increasing the federal award for personnel.

SECTION 2. The sum of Seven Thousand Two Hundred Sixty-nine Dollars (\$7,269) 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:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	7,269
TOTAL INCREASE	7,269

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	7,269
TOTAL REDUCTION	7,269

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

Proposal No. 321, 2000 was retitled FISCAL ORDINANCE NO. 46, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) transferring and appropriating an additional Four Thousand Sixty-six Dollars (\$4,066) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for the County Auditor.

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(b,v) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney for Personal Services.

SECTION 2. The sum Four Thousand Sixty-six Dollars (\$4,066) of 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>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	4,066
TOTAL INCREASE	4,066

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

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	4,066
TOTAL DECREASE	4,066

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

Proposal No. 324, 2000 was retitled FISCAL ORDINANCE NO. 47, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional Four Hundred Ninety-two Thousand One Hundred

Sixteen Dollars (\$492,116) in the State and Federal Grants Fund for purposes of the County Auditor, Prosecuting Attorney, Marion County Public Defender Agency, County Sheriff, and Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,u,v,y,cc) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the appropriation of the County Auditor, Prosecuting Attorney, Marion County Public Defender Agency, County Sheriff, and Marion County Superior Court to continue the expedited court project for an additional year.

SECTION 2. The sum of Four Hundred Ninety-two Thousand One Hundred Sixteen Dollars (\$492,116) 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:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
I. Personal Services-fringes	100,064
<u>PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	123,218
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	123,218
<u>COUNTY SHERIFF</u>	
I. Personal Services	17,100
<u>MARION COUNTY SUPERIOR COURT</u>	
I. Personal Services	<u>128,516</u>
TOTAL INCREASE	492,116

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	<u>492,116</u>
TOTAL REDUCTION	492,116

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

Proposal No. 326, 2000 was retitled FISCAL ORDINANCE NO. 48, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) appropriating an additional One Hundred Sixty-one Thousand One Hundred Forty Dollars (\$161,140) in the State and Federal Grants Fund for purposes of the County Auditor and the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,u) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the County Auditor and the Marion County Public Defender Agency for the continuation of the grant for the Sentencing Alternative Program.

SECTION 2. The sum of One Hundred Sixty-one Thousand One Hundred Forty Dollars (\$161,140) 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:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	15,892
<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	92,398
3. Other Services and Charges	52,850
TOTAL INCREASE	161,140

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	161,140
TOTAL REDUCTION	161,140

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

Councillor Dowden reported that Proposal Nos. 327-331, 2000 were postponed on May 10, 2000 in the Public Safety and Criminal Justice Committee. He asked if a vote needs to be taken to postpone these proposals. General Counsel Robert Elrod stated that a vote needs to be taken because these proposals are under Public Hearing and will need to be re-advertised if no vote is taken.

PROPOSAL NO. 327, 2000. The proposal approves an increase of \$110,402 in the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to appropriate a state grant for the Indiana Juvenile Justice Task Force for the Juvenile Support Services Project. PROPOSAL NO. 328, 2000. The proposal approves an increase of \$87,000 in the 2000 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to appropriate a state grant for the Indiana Juvenile Justice Task Force for the Juvenile Detention Mental Health & Substance Abuse Assessment. PROPOSAL NO. 329, 2000. The proposal approves an increase of \$48,719 in the 2000 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to continue the state grant for Reach for Youth, Teen Court Project. PROPOSAL NO. 330, 2000. The proposal approves an increase of \$14,685 in the 2000 Budget of the of Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to continue the state grant for Reach for Youth, Adolescent Sexual Adjustment Project. PROPOSAL NO. 331, 2000. The proposal approves an increase of \$42,720 in the 2000 Budget of the Marion County Superior Court, Juvenile Division (State and Federal Grants Fund) to continue funding for Child Advocates, funded by an Indiana Criminal Justice Institute grant. Councillor Dowden moved, seconded by Councillor Talley, to postpone Proposal Nos. 327-331,

2000 until June 19, 2000. Proposal Nos. 327-331, 2000 were postponed by a unanimous voice vote.

SPECIAL ORDERS - FINAL ADOPTION

Councillor Hinkle thanked Council members for their support and thoughts in the recent passing of his mother and deferred to Councillor Coughenour, who acted as Chair of the Metropolitan Development Committee in his absence, to give the Committee reports.

PROPOSAL NO. 240, 2000. Councillor Coughenour reported that the Metropolitan Development Committee heard Proposal No. 240, 2000 on May 15, 2000. The proposal, sponsored by Councillors Boyd and Douglas, concerns the Urban Enterprise Association. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Boyd, for adoption. Proposal No. 240, 2000, as amended, was adopted on the following roll call vote; viz:

27 YEAS: Bainbridge, Black, Borst, Boyd, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Short, Smith, Soards, Talley, Tilford

0 NAYS:

2 NOT VOTING: Bradford, Coonrod

Proposal No. 240, 2000, as amended, was retitled GENERAL ORDINANCE NO. 69, 2000, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 2000

A GENERAL ORDINANCE amending Sec. 285-502 of the Revised Code concerning the Urban Enterprise Association.

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

SECTION 1. Sec. 285-502 of the "Revised Code of the Consolidated City and County" be, and is hereby, amended by deleting the stricken-through text and inserting the underlined text to read as follows:

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

Sec. 285-502. Assistance payments.

(a) It is hereby determined that each zone business shall be required to pay to the IUEA as assistance to the IUEA under IC 4-4-6.1-2, an annual amount equal to twenty (20) percent of any credit received by such business under IC 4-4-6.1 for the preceding year. To the IUEA this amount is payable by May 31 of each year unless other payment arrangements have been made with the IUEA in writing prior to May 31. Businesses filing for the first time are required to pay the twenty (20) percent assistance to the IUEA by May 31 of the year in which the first EZ-1 is filed with the Marion County Auditor.

(b) It is the present intent of the city-county council that the level of assistance hereby established shall be in effect until December 31, ~~1999~~ 2004.

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

PROPOSAL NO. 274, 2000. Councillor Massie reported that the Rules and Public Policy Committee heard Proposal No. 274, 2000 on May 9, 2000. The proposal, sponsored by Councillors Massie and Boyd, authorizes the Department of Public Utilities (dba Citizens Gas

and Coke Utility) to acquire certain steam and chilled water assets of Indianapolis Power & Light Company, Indianapolis Campus Energy, Inc., and Mid-America Energy Resources, Inc. and consents to the assignment of the chilled water franchise. By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Boyd stated that he is pleased to co-sponsor this proposal, and those parties involved have kept him apprised every step of the process. He stated that he encourages on-going discussions concerning the City using more electricity provided by steam. Councillor Massie moved, seconded by Councillor Boyd, for adoption.

Councillor Short stated that he will abstain from voting on Proposal No. 274, 2000.

Proposal No. 274, 2000, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coonrod, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Horseman, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, SerVaas, Smith, Soards, Talley, Tilford
0 NAYS:
1 NOT VOTING: Short

Proposal No. 274, 2000, as amended, was retitled SPECIAL ORDINANCE NO. 5, 2000, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 2000

A SPECIAL ORDINANCE authorizing the acquisition of certain steam and chilled water assets of Indianapolis Power & Light Company ("IPL"), Indianapolis Campus Energy, Inc. ("ICE") and Mid-America Energy Resources, Inc. ("MAER") by the Board of Directors for Utilities of the Department of Public Utilities of the City of Indianapolis (the "Board") for and on behalf of the City of Indianapolis ("City"), as trustee of a public charitable trust ("Trust").

WHEREAS, the Board is vested by Indiana Code 8-1-11.1-3 with the exclusive government, management, regulation and control of certain properties held by the City as successor trustee of the Trust and, since 1935, has operated properties under its control as a municipal gas utility known as Citizens Gas & Coke Utility; and

WHEREAS, in accordance with the purposes of the Trust, the Board currently provides local gas distribution service to the City and residents of Marion County, Indiana, and in conjunction therewith operates manufactured gas and coking facilities, and through its direct and indirect affiliates engages in other energy-related ventures; and

WHEREAS, the Board has the power pursuant to Indiana Code 8-1-11.1-3(a) to make enlargements, extensions and additions to property under its control and, by virtue of Indiana Code 8-1-11.2-2, the management and control of any utility property acquired by the City is to be in the Board; and

WHEREAS, the Board has investigated and continues to investigate and study ways in which it may more efficiently and effectively provide service to its customers and otherwise satisfy the purposes of the Trust; and

WHEREAS, IPL currently owns and operates steam production, transmission and distribution plant and related equipment for the provision of steam service in the downtown and near downtown areas of the City (the "Steam System"); and

WHEREAS, ICE and MAER each owns and operates chilled water production and distribution plant and related equipment for the provision of chilled water to customers in the downtown and near downtown areas of the City (the "Chilled Water Systems"); and

WHEREAS, by Special Ordinance No. 10, 1990, the City approved a franchise agreement with MAER (the "MAER Chilled Water Franchise Agreement") in accordance with the procedures specified under General Ordinance No. 96, 1990; and

WHEREAS, IPL, ICE and MAER are all affiliated corporations and direct or indirect subsidiaries of PALCO Enterprises, Inc.; and

WHEREAS, the Board, acting for and on behalf of the City, has entered into separate Asset Purchase Agreements dated March 21, 2000 with IPL, ICE and MAER (the "Agreements"), providing for the acquisition of the Steam System and Chilled Water Systems; and

WHEREAS, the Board entered into the Agreements on the express condition that the acquisition of the Steam System and Chilled Water Systems would be subject to the approval of the Board of Trustees for Utilities, the City-County Council and the Mayor as contemplated by Indiana Code 8-1-11.2-1; and

WHEREAS, the MAER Chilled Water Franchise Agreement requires the consent and approval of the City-County Council to the assignment, sale or transfer of the franchise granted by such agreement and MAER has requested such consent and approval from the Council and has provided the Council adequate information consistent with the requirements of that agreement and applicable ordinances; and

WHEREAS, the purchase price and other terms and conditions upon which the City, acting by and through the Board, will acquire the Steam System and Chilled Water Systems from IPL, ICE and MAER is set forth in the Agreements, copies of which are attached and incorporated herein by reference; and

WHEREAS, the Board previously has found that the acquisition of the Steam System and Chilled Water Systems pursuant to the Agreements would be expedient and in the best interests of the Trust; and desirable or necessary for the proper conduct of the Trust, the Board's present utility operations and the proper serving of the inhabitants of the City and communities within Marion County; and

WHEREAS, the acquisition of the Steam System and Chilled Water Systems will be financed with funds available to the Board and with the proceeds of revenue bonds and certificates of indebtedness issued pursuant to Indiana Code 8-1-11.1-19 through 24, 36-1-3 and 36-1-4, as applicable, (collectively, the "Bonds"), the repayment of which will be secured by and made from the revenues of the Steam System and Chilled Water Systems and without any pledge of the other revenues and resources of the City; and

WHEREAS, Indiana Code 8-1-11.2-1 sets forth the power of the City to acquire property of a public utility when the Board of Trustees for Utilities by resolution and the City-Council by ordinance signed and approved by the Mayor have each determined that it is expedient so to do; and

WHEREAS, on April 19, 2000, the Board of Trustees for Utilities duly adopted a Resolution under Indiana Code 8-1-11.2-1 determining that it is expedient for the Board, for and on behalf of the City, to acquire the Steam System and the Chilled Water Systems under the terms of the Agreements, for the following reasons, among others:

1. The proposed acquisitions are consistent with the Board's mission and function under the Trust;
2. The Steam System and Chilled Water Systems are synergistic with existing operations and position the Board as a provider of a broader range of services;
3. Similarities between current operations of the Board and the Steam System and Chilled Water Systems may help reduce operating costs;
4. Revenues from the Steam System and Chilled Water Systems should enhance the financial integrity of the Trust; and
5. Acquisition by the Board preserves local ownership.

WHEREAS, the City also has the power to purchase property pursuant to Indiana Code 36-1-4-5 and -6 and in accordance with the provisions of Indiana Code 36-1-10.5 and Indiana Code 5-22; and

WHEREAS, the Board's acquisition of the Steam System and Chilled Water Systems on behalf of the City will be as going concerns and as part of an integrated transaction with each part dependent on the other, and is subject to the retention of certain rights in certain property being transferred, all as provided in the Agreements; and

WHEREAS, the Board's acquisition of the Steam System and Chilled Water Systems on behalf of the City presents a unique opportunity the benefits of which are not otherwise available to the City unless the acquisition is made by the Board; and

WHEREAS, to the extent not otherwise authorized under Indiana Code 8-1-11.2, the purchase of any equipment, goods and materials that are part of the Steam System and Chilled Water Systems shall be by special purchase within the meaning of Indiana Code 5-22-10; and

WHEREAS, to the extent not otherwise authorized under Indiana Code 8-1-11.2, as provided in Indiana Code 36-1-10.5, the City is interested in having the acquisition of the Steam System and Chilled Water Systems include such land and structures as are described in the Agreements; and

WHEREAS, any service received by the City through the use of the Steam System or Chilled Water Systems after their transfer to the Board shall be pursuant to established tariffs or mutual agreement between the City and the Board; and

WHEREAS, inasmuch as the Board is acquiring the Chilled Water Systems for and on behalf of the City, it is appropriate for the City-County Council to act on the right of first refusal granted in, and take other action related to, the MAER Chilled Water Franchise Agreement; and

WHEREAS, the Board, IPL, MAER and ICE believe the Agreements are advantageous, in the public interest and in their best interest; and

WHEREAS, it is expedient and in the best interest of the City to approve the Agreements and the transfer of the Steam System and the Chilled Water Systems to the Board; now, therefore:

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

SECTION 1. The foregoing recitals are incorporated herein by reference and are ratified, confirmed and approved.

SECTION 2. The Agreements are in the best interest of the City and their execution, delivery and performance by the Board for and on behalf of the City, as trustee of the Trust, are hereby ratified, confirmed and approved.

SECTION 3. The Board is hereby authorized to acquire, for and on behalf of the City, as trustee of the Trust, the Steam System and Chilled Water Systems pursuant to the Agreements, and Indiana Code 8-1-11.2, 36-1-3 and 36-1-4, as applicable, such being expedient so to do.

SECTION 4. The City approves the sale of the Chilled Water Systems, as contemplated by Section 13 of the MAER Chilled Water Franchise Agreement, to the Board for and on behalf of the City, as trustee of the Trust; determines that the right of first refusal set forth in Section 14 of the MAER Chilled Water Franchise Agreement does not apply or need not be exercised by the City; and consents pursuant to Section 38 of the MAER Chilled Water Franchise Agreement to the assignment, sale and transfer of the franchise granted by such agreement to the Board for and on behalf of the City, as trustee of the Trust; provided, however, the Board and City shall enter into an agreement, which in addition to recognizing the assignment, sale and transfer of such franchise, extends through the end of 2025 the term of the franchise granted by the MAER Chilled Water Franchise Agreement and providing for the payment of a fee for such franchise in each of years through and including 2013 at four percent (4%) of gross annual revenue per year, as such fee may be adjusted pursuant to the MAER Chilled Water Franchise Agreement, and for the years 2014 through 2025 at five percent (5%) of gross annual revenue per year without adjustment period. Once acquired by the Board for and on behalf of the City, the Board shall have the exclusive government, management, regulation and control of the Steam System and the Chilled Water Systems and any enlargements, extensions and additions thereto, notwithstanding anything in this special ordinance to the contrary.

SECTION 5. Any service received by the City or any property thereof or any department, agency, board or affiliate of the City or any property thereof through the use of the Steam System or Chilled Water Systems after acquisition and transfer to the Board shall be pursuant to established tariffs or mutual agreements between the City and the Board, notwithstanding anything in Indiana Code 8-1-11.2 to the contrary. The City and each of its departments, agencies, boards and affiliates, individually and not collectively, is authorized to agree to payment of an established tariff or to enter into an agreement with the Board for the provision of service received through the use of the Steam System or Chilled Water Systems after transfer to the Board; and the Mayor, the City Controller and the Board of Public Works or its successor are further authorized and directed to make any and all such agreements by and on behalf of the City and its departments, agencies, boards and affiliates.

SECTION 6. To the extent not otherwise authorized under Indiana Code 8-1-11.2, in connection with the purchase of those parts of the Chilled Water Systems comprising land and structures within the contemplation

of Indiana Code 36-1-10.5 (the "Land and Structures"), the City-County Council additionally finds and determines that:

- A. This special ordinance shall serve as the resolution of the fiscal body of the political subdivision described in Indiana Code 36-1-10.5(1).
- B. The City-County Council is interested in the Board's purchase of the Land and Structures for and on behalf of the City, as trustee of the Trust.
- C. The Board is and shall be and act as the purchasing agent in connection with the purchase of the Land and Structures pursuant to and as contemplated by Indiana Code 36-1-10.5, notwithstanding anything in any ordinance to the contrary.

SECTION 7. To the extent not otherwise authorized under Indiana Code 8-1-11.2, in connection with the purchase of those parts of the Chilled Water Systems that do not comprise the Land and Structures (the "Other Property"), the City-County Council additionally finds and determines that:

- A. The Board shall be and act as the purchasing agent in connection with the purchase of the Other Property for and on behalf of the City, as trustee of the Trust, notwithstanding any ordinance to the contrary.
- B. The Board shall purchase the Other Property for and on behalf of the City, as trustee of the Trust, pursuant to Indiana Code 5-22 or such other provision of law that the Board shall find by resolution to be necessary or appropriate.

SECTION 8. The Mayor, the City-Controller and the Clerk of the City-County Council are, and each of them is, authorized and directed to execute and deliver the Bonds and any and all papers necessary or appropriate to the issuance of the Bonds, all in accordance with Indiana Code 8-1-11.1, 36-1-3 and 36-1-4, as applicable, it being understood that the Bonds shall be secured by and payable from a pledge of the income and revenues of the Steam System and/or the Chilled Water Systems, as determined by resolution of the Board, and without any pledge of the other revenues and resources of the City.

SECTION 9. This ordinance shall be in full force and effect upon the adoption and compliance with Indiana Code 36-3-4-14.

PROPOSAL NO. 306, 2000. Councillor Coughenour reported that the Metropolitan Development Committee heard Proposal No. 306, 2000 on May 1 and May 15, 2000. The proposal, sponsored by Councillor Hinkle, is an inducement resolution for Pheasant Run Limited Partnership in an amount not to exceed \$13,000,000 to be used for the construction of a 184-unit multi-family apartment complex located at 1000 South Franklin Road in southeastern Marion County (District 13). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 306, 2000, as amended, was adopted on the following roll call vote; viz:

26 YEAS: Bainbridge, Black, Borst, Boyd, Bradford, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Knox, Langsford, Massie, Moriarty Adams, Nyles, Sanders, Schneider, SerVaas, Smith, Soards, Talley, Tilford

0 NAYS:

3 NOT VOTING: Coonrod, Horseman, Short

Proposal No. 306, 2000, as amended, was retitled SPECIAL RESOLUTION NO. 48, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 2000

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 IC 36-7-11.9 and 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, construction 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 a company; and

WHEREAS, Pheasant Run Limited Partnership, an Indiana limited partnership, the general partner of which is Alexander Housing II, Inc. (collectively, the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire 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. The Applicant will use the proceeds of the financing to (i) proceed with the acquisition, construction and equipping of an apartment complex with a total of 184 one- two- and three-bedroom units, located in approximately twelve buildings, to be located on approximately 20.52 acres of land, at 1000 South Franklin Road, in the City of Indianapolis, Indiana; and (ii) pay certain costs relating to the issuance of the bonds (the "Project"); and

WHEREAS, the diversification of industry and creation of opportunities for gainful employment, plus the creation of a construction job and service provider payroll, and the creation of business opportunities to be achieved by the acquisition, construction and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, it is tentatively found that the acquisition, construction and equipping of the Project will not have an adverse competitive effect on any similar facility already constructed or operating within the jurisdiction of the Issuer; now, therefore:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and creation of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that the Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities and opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$13,000,000 for the 184 unit project under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction and equipping of the Project 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, construction and equipping of the Project, this 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 (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant, and (b) subject to the further caveat that this inducement resolution expires December 31, 2000, 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 (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 revenue bonds, provided that at the time of the proposed issuance of such bonds this inducement resolution is still in effect; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding or 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 date which is (sixty) 60 days prior to the date of adoption of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, a portion of the interest paid during acquisition and construction, underwriting expenses, attorney and bond counsel fees, and acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will lend the proceeds from the sale of the bonds to the Applicant for the same purposes. Also certain indirect expenses incurred prior to this inducement resolution will be

permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds, in particular Section 1.150-2.

SECTION 5. By adopting this inducement resolution the City-County Council is not recommending or binding the Metropolitan Development Commission or in any way commenting upon any future attempt of the Applicant to seek and obtain rezoning from the current D-6 status to D-7 status in connection with any attempt the Applicant makes to gain D-7 zoning status.

SECTION 6. Based solely upon representations of the Applicant and materials filed by the Applicant, the Issuer hereby preliminarily finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project and that the Project satisfies the requirements for the allocation of a housing credit dollar amount under the qualified allocation plan applicable to the area in which the Project is located. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Issuer shall also make the foregoing determinations again, at the request of the Borrower, following review of the Project and supporting materials by the Indiana Housing Finance Authority ("IHFA"), the credit agency for the State of Indiana, and the recommendation by IHFA of approval of such determinations in connection with IHFA's awarding of volume cap and the four percent tax credit allocation. Such Issuer determinations shall occur (i) upon the sale of the Bonds to the initial purchasers thereof, and (ii) thereafter by the Department of Metropolitan Development on or about the date that each building in the Project is placed in service.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 309, 2000. Councillor Coughenour reported that the Metropolitan Development Committee heard Proposal No. 309, 2000 on May 1 and May 15, 2000. The proposal, sponsored by Councillor Hinkle, is an inducement resolution for Capital Investment Group, Inc. in an amount not to exceed \$8,000,000 to be used for the acquisition and expansion of 208 one-bedroom, two-bedroom and three-bedroom units in two-story buildings located at 2220 E. Stop 13 Road (District 24). By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider stated that as the dissenting vote in Committee, he thinks the project is a good project but believes the developer should use conventional funding. He said that it is not a good use of public dollars to take a 92% occupied facility to non-market rate rents.

Councillor Coughenour said that the project, which is located in her district, is 40 years old and in great need of attention. She stated that there is not much affordable housing for the elderly and handicapped in that area, and the project is not subsidized, but is a reduction in rent rates of about \$20 per month.

Councillor Bradford asked if the project is truly not subsidized. Councillor Coughenour stated that all rents are paid by the tenants, but economic development bond financing will allow the developer to lower the rent rates and allocate a certain number of units to lower-income individuals based on a percentage of median incomes.

Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 309, 2000 was adopted on the following roll call vote; viz:

22 YEAS: *Bainbridge, Black, Borst, Brents, Cockrum, Conley, Coughenour, Douglas, Dowden, Gibson, Gray, Hinkle, Knox, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Smith, Soards, Talley, Tilford*

3 NAYS: *Bradford, Coonrod, Schneider*

4 NOT VOTING: *Boyd, Horseman, SerVaas, Short*

Proposal No. 309, 2000 was retitled SPECIAL RESOLUTION NO. 49, 2000, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 2000

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

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") 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 construction and expansion 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, Capital Investment Group, Inc., an Indiana corporation (the "Applicant"), has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consists of the construction and expansion of existing buildings consisting of 18.83 acres located at 2220 E. Stop 13 Road, Indianapolis, Indiana (the "Project").

WHEREAS, the diversification of industry and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the construction of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, the construction of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer, now, therefore:

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

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation and retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$8,000,000 under the Act to be privately placed or publicly offered if permitted under current Commission policy for the construction of the Project and the sale or leasing of the Project to the Applicant for the construction of the Project 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 Project, this 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 (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires on November 30, 2000, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by this Council 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 (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 revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity 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 (1) any such allocable limit will be available, because inducement resolutions in the aggregate amount in excess of the private activity bond limit may, and in all probability will, be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; 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 date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and construction 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 Project to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the Project. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

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

PROPOSAL NO. 323, 2000. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 323, 2000 on May 10, 2000. The proposal approves a transfer of \$5,900 in the 2000 Budget of the Prosecuting Attorney (County Grants Fund) for operating expenses for "A Child's Haven," a waiting room for children in the City-County Building. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 323, 2000 was adopted on the following roll call vote; viz:

20 YEAS: Black, Borst, Boyd, Bradford, Cockrum, Conley, Coonrod, Coughenour, Dowden, Gibson, Hinkle, Langsford, Massie, Moriarty Adams, Nytes, Sanders, Schneider, Smith, Soards, Talley

0 NAYS:

9 NOT VOTING: Bainbridge, Brents, Douglas, Gray, Horseman, Knox, SerVaas, Short, Tilford

Proposal No. 323, 2000 was retitled FISCAL ORDINANCE NO. 49, 2000, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 2000

A FISCAL ORDINANCE amending the City-County Annual Budget for 2000 (City-County Fiscal Ordinance No. 98, 1999) transferring and appropriating an additional Five Thousand Nine Hundred Dollars (\$5,900) in the County Grants Fund for purposes of the Prosecuting Attorney 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(v) of the City-County Annual Budget for 2000 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to use for "A Child's Haven," a waiting room for children in the City-County Building.

SECTION 2. The sum of Five Thousand Nine Hundred Dollars (\$5,900) 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:

PROSECUTING ATTORNEY

3. Other Services and Charges
TOTAL INCREASE

COUNTY GRANTS FUND

5,900
5,900

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

PROSECUTING ATTORNEY

2. Supplies
TOTAL DECREASE

COUNTY GRANTS FUND

5,900
5,900

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

NEW BUSINESS

Mr. Elrod read the following:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 2000-ZON-042, Council Proposal No. 384, 2000, at its next regular meeting on June 19, 2000, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 1.66 acres at 1428 Everett Street from a D-8 District to an SU-1 classification to provide for religious uses.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

Councillor Sanders recognized Councillor Conley regarding his effective efforts in rectifying the sound situation in the Public Assembly Room.

Councillor Bradford stated that each Councillor should have received an address correction for the location of the Community Affairs Committee meeting tomorrow evening.

Councillor Boyd stated that he would like to see an update by Councillor Cockrum regarding the Scarborough Peace Games at the next Council meeting and asked if it could be added to the agenda. He added that Councillor Cockrum has done an outstanding job with the planning for these games.

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 Boyd in memory of Chip Lee Howard; and
- (2) Councillors Boyd and Black in memory of Gloria Estelle Adams; and
- (3) Councillor Talley in memory of Veronica Nkechi Stovall; and
- (4) Councillor Gibson in memory of David Lee Watts; and
- (5) Councillor Short in memory of Charles Griffo.

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 Chip Lee Howard, Gloria Estelle Adams, Veronica Nkechi Stovall, David Lee Watts, and Charles Griffo. 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 8:42 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 22nd day of May, 2000.

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)