

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

**REGULAR MEETINGS  
MONDAY, OCTOBER 12, 1992**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:15 p.m. on Monday, October 12, 1992, with Councillor SerVaas presiding.

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

**ROLL CALL**

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

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

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

**OFFICIAL COMMUNICATIONS**

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

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council

*Journal of the City-County Council*

Chambers, on Monday, October 12, 1992, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

September 28, 1992

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, October 1, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 461, 462 and 463, 1992, to be held on Monday, October 12, 1992, at 7:00 p.m., in the City-County Building.

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

September 28, 1992

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, October 1, 1992, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 485, 486, 487 and 488, 1992, to be held on Monday, October 12, 1992, at 7:00 p.m., in the City-County Building.

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

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

Ladies and Gentlemen:

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

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1992, the annual budget for the Fire Special Service District for 1993.

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1992, the annual budget for the Solid Waste Collection Special Service District for 1993.

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1992, the annual budget for the Police Special Service District for 1993.

FISCAL ORDINANCE NO. 57, 1992, the annual budget for Indianapolis and Marion County for 1993.

FISCAL ORDINANCE NO. 58, 1992, the annual budget for the Marion County Department of Public Welfare for 1993.

FISCAL ORDINANCE NO. 59, 1992, the annual budget for the Metropolitan Emergency Communications Agency for 1993.

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FISCAL ORDINANCE NO. 60, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Twenty-one Thousand Seven Hundred Fifty Dollars (\$21,750) in the Park General Fund for purposes of the Department of Parks and Recreation, Administration Division, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 61, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Sixty-Two Thousand Three Hundred Dollars (\$62,300) in the County General Fund for purposes of the Cooperative Extension Service, and reducing certain other appropriations for that agency.

FISCAL ORDINANCE NO. 62, 1992, amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the County General Fund for purposes of the Clerk of the Circuit Court and reducing certain other appropriations for that agency.

SPECIAL RESOLUTION NO. 64, 1992, remembering Judge Antoinette "Toni" Cordingley.

GENERAL ORDINANCE NO. 66, 1992, concerning the reorganization of the Department of Parks and Recreation.

GENERAL ORDINANCE NO. 67, 1992, recodifying and amending the Code concerning court services and jury expenses.

GENERAL ORDINANCE NO. 69, 1992, amending the Code by authorizing intersection controls in the Saddlebrook subdivision (District 9).

GENERAL ORDINANCE NO. 70, 1992, amending the Code by authorizing intersection controls within the Wanamaker Village subdivision (District 23).

GENERAL ORDINANCE NO. 71, 1992, amending the Code by authorizing intersection controls and parking restrictions in the Castleton area (District 4).

GENERAL ORDINANCE NO. 72, 1992, amending the Code by authorizing intersection controls at various locations (District 12).

GENERAL ORDINANCE NO. 73, 1992, amending the Code by authorizing intersection controls at Bradbury Street and Bradbury connector road (4250 west) and Airport Expressway and Bradbury connector road (4250 west) (District 17).

GENERAL ORDINANCE NO. 74, 1992, amending the Code by authorizing intersection controls at Rural Street and 35th Street (District 11).

GENERAL ORDINANCE NO. 75, 1992, amending the Code by authorizing intersection controls on Sunset at Eagle Creek subdivision (District 1).

GENERAL ORDINANCE NO. 76, 1992, amending the Code by authorizing intersection controls at various street intersections within the Crystal Glen Apartment complex (District 11).

GENERAL ORDINANCE NO. 77, 1992, amending the Code by deleting intersection controls within the Lincolnwood Subdivision, Sections 2 and 3 (District 1).

GENERAL ORDINANCE NO. 78, 1992, amending the Code by authorizing a 35 mph speed limit on Payne Road between 79th Street and 86th Street (Districts 1 and 2).

GENERAL ORDINANCE NO. 79, 1992, amending the Code by authorizing a weight limit restriction on Fall Creek Road between Kessler Boulevard and Shadeland Avenue; and authorizing the deletion of a weight limit restriction on 56th Street between Emerson Avenue and I-465 (District 4).

GENERAL ORDINANCE NO. 80, 1992, amending the Code by authorizing a weight limit restriction on Bradbury Street from Bradbury connector road (4250 west) to Holt Road (District 17).

GENERAL ORDINANCE NO. 81, 1992, amending the Code by authorizing an 11,000 pounds weight limit restriction on Delaware Street between 91st Street and 96th Street (District 3).

GENERAL ORDINANCE NO. 82, 1992, amending the Code by authorizing a weight limit restriction on Chester Avenue, Denny Street and Forest Manor Avenue between 26th Street to 30th Street (District 10).

GENERAL ORDINANCE NO. 83, 1992, amending the Code by authorizing an 11,000 weight limit restriction on Oxford Street between 34th Street and 38th Street, and Rural Street between 34th Street and 38th Street (District 11).

GENERAL ORDINANCE NO. 84, 1992, amending the Code by authorizing parking restrictions on the west side of Ritter Avenue from 13th Street to 137 feet south of 13th Street (District 15).

GENERAL ORDINANCE NO. 85, 1992, amending the Code by changing the parking restrictions on a segment of Layman Avenue (District 12).

GENERAL ORDINANCE NO. 86, 1992, amending the Code by authorizing a traffic signal at the intersection of Fall Creek Road/79th Street/82nd Street (Districts 4 and 5).

GENERAL ORDINANCE NO. 87, 1992, amending the Code by authorizing a multi-way stop at the intersection of Acton Road and Maze Road (District 23).

GENERAL ORDINANCE NO. 88, 1992, amending the Code by authorizing intersection controls at Bancroft Street and 9th Street (District 15).

GENERAL ORDINANCE NO. 89, 1992, amending the Code by authorizing intersection controls at Highland Avenue and Polk Street (District 22).

GENERAL ORDINANCE NO. 90, 1992, amending the Code by authorizing a 40 mph speed limit on Emerson Avenue between County Line Road and Raymond Street (Districts 23 and 24).

GENERAL ORDINANCE NO. 91, 1992, amending the Code by authorizing parking restrictions on Shelby Street from Southern Avenue to 150 feet north of Southern Avenue (District 20).

GENERAL ORDINANCE NO. 92, 1992, amending the Code by authorizing weight restrictions on St. Peter Street (District 21).

GENERAL ORDINANCE NO. 93, 1992, amending the Code by authorizing intersection controls at Winthrop Avenue and 29th Street (District 22).

Respectfully,  
s/Stephen Goldsmith  
Stephen Goldsmith

## **INTRODUCTION OF GUESTS AND VISITORS**

Councillor Smith introduced Jennifer Kemodle, Jenny Dorrell and Steve Pryor, students from Franklin Central High School.

Councillor Dowden introduced the following members from Boy Scout Troop No. 174: Brendan Botkin, Tony Grau, Clayton Gillespie, Nick Hoffman, David Lesh, Peter Countryman, Sam Hoyt, Karl Otte, Nick Ryan, Ryan Wells, Michael Conard, Tony Dick, Tyler Hallquist, Shawn Huguenard, Teddy Parker-Renga and Kevin Vanes; and their leaders, John Ryan, Mike Wells and Jim Hoffman.

## **ADOPTION OF THE AGENDA**

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

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

PROPOSAL NO. 528, 1992. This proposal, sponsored by Councillors Gilmer, Hinkle and Dowden, remembers Coach Tony Hinkle. Councillor Gilmer read the resolution and

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Councillor Dowden presented a framed document to Dr. Geoffrey Bannister, President, Butler University, who expressed appreciation for the resolution. Councillor Hinkle presented framed documents to Mrs. Dave Watson, Mr. Hinkle's daughter, and Mr. Paul Mason, Mr. Hinkle's grandson, who expressed appreciation for the resolution. Also present were Richard D. Skooglund, Vice President, Butler University; Chris Theofanis, Director of Government Affairs, Butler University; Barry Collier, head basketball coach, Butler University; Mr. Dave Watson and Mrs. Paul Mason. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 528, 1992 was adopted by unanimous voice vote.

Proposal No. 528, 1992 was retitled SPECIAL RESOLUTION NO. 65, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1992

A SPECIAL RESOLUTION remembering Coach Tony Hinkle.

WHEREAS, Paul Daniel "Tony" Hinkle was born near Logansport, Indiana, in 1898, just eight years after basketball was invented; and

WHEREAS, after earning nine sports letters in college he came to Butler University in 1921 when the campus was still in Irvington, and over the decades became a national sports coaching legend; and

WHEREAS, Tony Hinkle was an educator and Butler's basketball coach for 41 years, football coach for 32 years, the baseball coach and athletic director--and his small private college teams fared well on the playing field against the largest university teams in the nation; and

WHEREAS, Hinkle taught many of today's Indiana high school athletic coaches when they were athletes at Butler University; and

WHEREAS, during his 71 years with Butler he won more games than he lost in every sport, stressed game fundamentals, won a collegiate basketball national championship, was named to seven different Halls of Fame, helped create "Hoosier Hysteria" and has Butler's Hinkle Fieldhouse named in his honor; and

WHEREAS, Coach Hinkle passed away on September 22, 1992, at age 93; 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 is saddened by the death of Paul Daniel "Tony" Hinkle.

SECTION 2. Coach Hinkle's influence will extend far into the future in the form of the area high school coaches he taught; and even while in his ninth decade of life, the many young athletes he personally encouraged to excel both on the playing fields and in the classrooms.

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. 538, 1992. This proposal, sponsored by Councillors Coughenour, SerVaas, West and Boyd, recognizes Mayor Hudnut for winning the Most Valuable Public Officials award. Councillor Coughenour read the resolution and presented a framed document to Mayor Hudnut, who expressed appreciation for the recognition. Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 538, 1992 was adopted by unanimous voice vote.

Proposal No. 538, 1992 was retitled SPECIAL RESOLUTION NO. 69, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1992

A SPECIAL RESOLUTION recognizing Mayor Hudnut for winning the Most Valuable Public Officials award.

WHEREAS, City & State, the leading newspaper for state and local government, conducts an annual national competition for the Most Valuable Public Officials award; and

WHEREAS, of 130 public officials nominated by their peers for the 1992 award only six were chosen; and

WHEREAS, of the six winners this year, only two were mayors; and

WHEREAS, former Indianapolis Mayor William H. Hudnut III was one of those two mayors who were especially honored during City & State's September 22, 1992 recognition dinner at the National Press Club in Washington, D.C.; and

WHEREAS, Mayor Hudnut was also honored with the Most Valuable Public Official award in 1988, which makes him one of the very few public servants to have ever been a double winner of the award; and

WHEREAS, Mayor Hudnut was recognized for this focus upon "economic development with compassion" during economic tough times which emphasized that local government, as a partner with business and the community, could achieve the "believable hopes" and goals of all citizens; 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 congratulates former Indianapolis Mayor William H. Hudnut III for becoming a double winner of the prestigious City & State newspaper's Most Valuable Public Official Award.

SECTION 2. Such national recognition, in the leading newspaper for state and local government, reflects highly upon the city of Indianapolis, upon the people of our great city, and upon Mayor Hudnut and the city and county elected officials and employees and the many local volunteers who can all feel a partnership in this recognition.

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. 529, 1992. This proposal, sponsored by Councillor Short, notes the 500th anniversary of Christopher Columbus' voyage to the new world. Councillor Short read the resolution and presented a framed document to Pietro Ferri, Chairman, Columbus Quincentenary Commission, who expressed appreciation for the recognition. Also present were Lynda Sereno, Mario Vian and Mary and Jim Divita. Councillor Short moved, seconded by Councillor Boyd, for adoption. Proposal No. 529, 1992 was adopted by unanimous voice vote.

Proposal No. 529, 1992 was retitled SPECIAL RESOLUTION NO. 67, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1992

A SPECIAL RESOLUTION noting the 500th anniversary of Christopher Columbus' voyage to the new world.

WHEREAS, Christopher Columbus from Genoa, Italy, was keenly interested in navigation, and sailing for Spain discovered the New World on October 12, 1492; and

WHEREAS, Columbus reached beyond the limited horizon of conventional thinking and propelled the Age of Discovery to a new high level; and

WHEREAS, well-documented human relations conflicts surfaced after the Discovery, but the voyage opened up tremendous new mutually beneficial food crops, medicines, flowers, business enterprises, ideas and forms of governance; and

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WHEREAS, Columbus was the first of many thousands of Italian men and women to discover America; and

WHEREAS, now, five hundred years after Columbus' historic voyage, the great Italian-American community in Indianapolis, along with all citizens, reflect upon the historic significance of the bold thinking and daring spirit of Christopher Columbus; now, therefore:

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

SECTION 1. The Indianapolis City-County Council pauses to reflect upon the remarkable achievement of Italian explorer Christopher Columbus.

SECTION 2. May Christopher Columbus serve as an inspiration to each person in today's age as they seek their own discoveries in the classroom, laboratory, workplace, family life and in their spiritual life.

SECTION 3. The people from the nation with the green, white and red flag can be proud of their countryman, Christopher Columbus.

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

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

PROPOSAL NO. 539, 1992. This proposal, sponsored by Councillor Boyd, commemorates the 125th anniversary of Olivet Baptist Church. Councillor Boyd stated that he would present this resolution at the October 18, 1992 celebration at Olivet Baptist Church. Councillor Boyd moved, seconded by Councillor Howard, for adoption. Proposal No. 539, 1992 was adopted by unanimous voice vote.

Proposal No. 539, 1992 was retitled SPECIAL RESOLUTION NO. 68, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1992

A SPECIAL RESOLUTION commemorating the 125th anniversary of Olivet Baptist Church.

WHEREAS, two years after the Civil War a small group of Christian men and women banded together in a log cabin donated by farmer Stoughton Fletcher to organize what is now Olivet Baptist Church; and

WHEREAS, this company of Believers was severely put to the test: Only a few could read and write, membership did not increase much, the congregation moved three times, during the Great Depression Sister Adelaide Lillard mortgaged her home to keep Olivet's doors open, and later members borrowed money from their bosses to keep the Church going; and

WHEREAS, the Lord stood by his faithful people, and better times did arrive: Membership increased significantly, the Church was able to obtain new hymnals and Bibles, a furnace, and organ, the parking lot was enlarged, rooms were refurbished, air conditioning was added, a transportation ministry was begun and Olivet Baptist Church could now reach outside its walls into active work for the denomination, benevolences and in the community; 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 congratulates the several generations of citizens who have selflessly labored during the past 125 years to make Olivet Baptist Church one of the Great Churches of Indianapolis.

SECTION 2. The Council challenges each member of Olivet Baptist Church to never forget its roots, to always remember its fundamental reason for existing, to think and dream with the enthusiasm and energy of a young child and to do good works out in the community and world.

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. 364, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 364, 1992 on September 23, 1992. The proposal appoints William S. Gardiner to the Citizens Police Complaint Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Moriarty, for adoption. Proposal No. 364, 1992 was adopted by a unanimous voice vote.

Proposal No. 364, 1992 was retitled COUNCIL RESOLUTION NO. 67, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 67, 1992

A COUNCIL RESOLUTION appointing William S. Gardner to the Citizens Police Complaint Board.

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

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

William S. Gardner

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NOS. 446, 447, 450 and 460, 1992. The President ruled that the four appointments would be voted on together. PROPOSAL NO. 446, 1992. The proposal reappoints Robert Stewart to the Equal Opportunity Advisory Board. PROPOSAL NO. 447, 1992. The proposal appoints Stanley Strader to the Equal Opportunity Advisory Board. PROPOSAL NO. 450, 1992. The proposal appoints Andrew Shiel to the Equal Opportunity Advisory Board. PROPOSAL NO. 460, 1992. The proposal reappoints Curtis G. Myers to the Equal Opportunity Advisory Board. Proposal Nos. 446, 447, 450 and 460, 1992 were heard by the Administration and Finance Committee on October 5, 1992. By a 5-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Curry moved, seconded by Councillor Short, for adoption.

Councillor Golc asked if Stanley Strader can legally serve on this board since he is a federal employee. Councillor West replied that Mr. Strader obtained permission from his area director and has been cleared through all the proper channels.

Councillor Black asked who the Democrats serving on this board are. Councillor West replied that Curtis Myers and Nellie Daniels are Democrats presently serving on the board. He has discussed with Councillor Boyd two other nominees.

Councillor Black asked for a copy of the report that this board is required to submit to the federal government. Councillor West stated that this report was submitted to all the Councillors during the budget hearings.

Councillor Golc requested the names of the two people being discussed by Councillors West and Boyd. The President stated that he will supply those names. The President requested that the Councillors submit the names of any people qualified for this board to Councillor West.

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The President stated that he will ask Beverly Rippy, Clerk of the Council, to obtain a copy of the opinions from the proper persons concerning Mr. Strader and ask her to keep them on file in the Council office.

Proposal Nos. 446, 447, 450 and 460, 1992, 1992 were adopted by a unanimous voice vote.

Proposal No. 446, 1992 was retitled COUNCIL RESOLUTION NO. 68, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 1992

A COUNCIL RESOLUTION reappointing Robert Stewart to the Equal Opportunity Advisory Board.

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

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council appoints:

Robert Stewart

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 447, 1992 was retitled COUNCIL RESOLUTION NO. 69, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 1992

A COUNCIL RESOLUTION appointing Stanley Strader to the Equal Opportunity Advisory Board.

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

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council appoints:

Stanley Strader

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 450, 1992 was retitled COUNCIL RESOLUTION NO. 70, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 70, 1992

A COUNCIL RESOLUTION appointing Andrew Shiel to the Equal Opportunity Advisory Board.

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

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council appoints:

Andrew Shiel

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1993. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

Proposal No. 460, 1992 was retitled COUNCIL RESOLUTION NO. 71, 1992 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 1992

A COUNCIL RESOLUTION reappointing Curtis G. Myers to the Equal Opportunity Advisory Board.

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

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council appoints:

Curtis G. Myers

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1994. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 499, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing certain employees of Marion County to join the Public Employees Retirement Fund (P.E.R.F.); and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 500, 1992. Introduced by Councillor Ruhmkorff. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$130,000 for the Marion County Healthcare Center to pay for needed items"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 501, 1992. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the amendment of Special Resolution No. 48, 1989, as amended, to extend the expiration date on the Inducement Resolution for Diversified Systems, Inc. to April 30, 1993"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 502, 1992. Introduced by Councillor Giffin. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the amendment of Special Resolution No. 76, 1991, as amended, to extend the expiration date on the Inducement Resolution for Allison Gas Turbine Division to April 30, 1993"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 503, 1992. Introduced by Councillors Giffin and Smith. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION rendering advice to the Hospital Authority of Marion County concerning the proposed issuance of \$20,500,000 hospital facilities revenue bonds for Sisters of St. Francis Health Services, Inc."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 504, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to change the amount of the Enhanced 9-1-1 telephone system fee"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 505, 1992. Introduced by Councillor Moriarty. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$1,000 for the Superior Court, Civil Division, Room Three, to purchase a recorder"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 506, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,650 for the Superior Court, Title IV-D Court, to purchase additional chairs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 507, 1992. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$2,000 for the Superior Court, Juvenile Division/Detention Center, for the IVY Tech program funded by a Ford Motor Company grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 508, 1992. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$92,500 for the County Clerk to pay jury expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 509, 1992. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$445,140 for the Marion County Justice Agency, County Sheriff, Prosecuting Attorney and the County Auditor to continue the shared funding for the Metro Drug Task Force"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 510, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Huntington Estates subdivision (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 511, 1992. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Country Club Pines subdivision (District 18)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 512, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls in the Creekside Woods subdivision (District 13)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 513, 1992. Introduced by Councillors Beadling, Boyd and Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Fall Creek Road, Fall Creek Road North and Shaftner Road (Districts 4, 5, 11)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 514, 1992. Introduced by Councillors Curry and Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code

by authorizing intersection controls at Broadway Street and 57th Street (District 7)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 515, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at Park Avenue (WB) and 9th Street (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 516, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing intersection controls at various locations (Districts 2, 8, 14, 21 and 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 517, 1992. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection controls at Livingston Avenue and 16th Street (Districts 16, 17)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 518, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection controls at Pennsylvania Street and 14th Street (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 519, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a multi-way stop at DePauw Boulevard and Purdue Road (District 1)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 520, 1992. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection controls at Capitol Avenue and 14th Street (District 22)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 521, 1992. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing the intersection controls at Belmont Avenue and Miller Street (District 17)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 522, 1992. Introduced by Councillor Short. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting intersection controls for vacated streets in the vicinity of Eli Lilly and Company (Districts 16, 21, 25)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 523, 1992. Introduced by Councillor Golc. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting intersection controls at various locations in the City (Districts 16, 17)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 524, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by deleting

intersection controls on vacated streets in the vicinity of Mile Square (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 525, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing parking restrictions for Capitol Avenue between Washington Street and Louisiana, and authorizing parking meters on Capitol Avenue (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 526, 1992. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing one-way traffic on Merrill Street from Delaware Street to Pennsylvania Street (District 16)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 527, 1992. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing a 40 mph speed limit on Davis Road between Brookville Road and Vandergriff Road (District 13)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 530, 1992. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE recodifying and amending the Code concerning vehicle taxes"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 531, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the Preliminary Board Resolution and the issuance of the bonds of the Redevelopment District"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 532, 1992. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance and sale of bonds of the City for the reconstruction and repair of streets, roads, curbs and sidewalks and appropriating the sum of \$55,000,000 for such purposes"; and the President referred it to the Rules and Public Policy Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 533, 1992. Introduced by Councillor Borst. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on October 8, 1992". The Council did not schedule Proposal No. 533, 1992 for hearing pursuant to IC 36-7-46-608. Proposal No. 533, 1992 was retitled REZONING ORDINANCE NO. 109, 1992 and is identified as follows:

REZONING ORDINANCE NO. 109, 1992. 92-Z-91 DECATUR TOWNSHIP.  
COUNCILMANIC DISTRICT #19.

8415 TROTTER ROAD (approximate address), INDIANAPOLIS.

EARL W. BROWN and UVIA M. BROWN request the rezoning of 2.0 acres, being in the D-A District, to the D-3 classification to provide for the construction of two single-family residences.

PROPOSAL NOS. 534-537, 1992. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 8, 1992". The Council did not schedule Proposal

Nos. 534-537, 1992 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 534-537, 1992 were retitled REZONING ORDINANCE NOS. 110-113, 1992 and are identified as follows:

REZONING ORDINANCE NO. 110, 1992. 92-Z-52 (Amended) PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT #02.  
7301 NEW AUGUSTA ROAD (approximate address), INDIANAPOLIS.  
BRADFORD WOODS DEVELOPMENT CO., by Stephen D. Mears, requests the rezoning of 8.8 acres, being in the D-A District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 111, 1992. 92-Z-101 WAYNE TOWNSHIP.  
COUNCILMANIC DISTRICT #18.  
8101 ROCKVILLE ROAD (approximate address), INDIANAPOLIS.  
CLOVERLEAF PROPERTIES, by Michael D. Keele, request the rezoning of 35.251 acres, being in the I-2-S and C-S/FP District, to the C-S/FP classification to provide for commercial development.

REZONING ORDINANCE NO. 112, 1992. 92-Z-103 CENTER TOWNSHIP.  
COUNCILMANIC DISTRICT #16.  
1736 WEST 10TH STREET (approximate address), INDIANAPOLIS.  
VENCOR, INCORPORATED, by Philip A. Nicely, requests the rezoning of 8.616 acres, being in the I-2-U/RC, D-5 and D-10 District, to the SU-6/RC classification to provide for a hospital.

REZONING ORDINANCE NO. 113, 1992. 92-Z-108 PIKE TOWNSHIP.  
COUNCILMANIC DISTRICT #01.  
3608 WEST 86TH STREET (approximate address), INDIANAPOLIS.  
MICHAEL L. WILEY, by William F. Lemond, requests the rezoning of 0.689 acre, being in the D-2 District, to the C-1 classification to provide for general office use.

### SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 360, 1992. The proposal appropriates \$64,675 for the County Recorder to cover monthly payments for document imaging computer equipment. Councillor Borst asked for consent to postpone Proposal No. 360, 1992 until November 9, 1992. Consent was given.

PROPOSAL NO. 400, 1992. The proposal appropriates \$25,600 for the Domestic Relations Counseling Bureau to fund personnel expenses for the Visiting Nurse Service through a state grant. Councillor Dowden asked for consent to postpone Proposal No. 400, 1992 until October 26, 1992. Consent was given.

PROPOSAL NO. 438, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 438, 1992 on September 23, 1992. The proposal reappropriates \$411,343 in the County Grants Fund for the County Sheriff and repeals Fiscal Ordinance Nos. 3 and 18, 1992. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:11 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 438, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: *Borst, Brents, Golc, Jones*

1 NOT PRESENT: *Rhodes*

Proposal No. 438, 1992 was retitled FISCAL ORDINANCE NO. 63, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Four Hundred Eleven Thousand Three Hundred Forty-three Dollars (\$411,343) in the County Grants Fund for purposes of the County Sheriff and reducing the unappropriated and unencumbered balance in the County Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated and by repealing Fiscal Ordinance Nos. 3 and 18, 1992.

SECTION 2. The sum of Four Hundred Eleven Thousand Three Hundred Forty-three Dollars (\$411,343) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	\$ 20,117
3. Other Services and Charges	384,625
 <u>COUNTY AUDITOR</u>	
1. Personal Services (fringes)	<u>6,601</u>
 TOTAL INCREASE	 \$411,343

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

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered County Grants Fund	<u>\$411,343</u>
TOTAL REDUCTION	\$411,343

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

PROPOSAL NO. 461, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 461, 1992 on September 23, 1992. The proposal transfers and appropriates \$53,474 for the Superior Court, Juvenile Division/Detention Center, to technically amend its budget by transferring \$51,000 between characters and adding a \$2,474 appropriation from the state. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Golc, for adoption. Proposal No. 461, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 461, 1992 was retitled FISCAL ORDINANCE NO. 64, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Fifty-Three Thousand Four Hundred Seventy-four Dollars (\$53,474) in the Guardian Ad Litem Fund for purposes of the Superior Court, Juvenile Division/Detention Center, and reducing certain other appropriations for that Division and reducing the unappropriated and unencumbered balance in the Guardian Ad Litem Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (kk) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Juvenile Division/Detention Center, to technically correct their budget by a \$51,000 transfer plus and additional appropriation of state funds in the amount of \$2,474.

SECTION 2. The sum of Fifty-three Thousand Four Hundred Seventy-four Dollars (\$53,474) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the account and the unappropriated balances as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT JUVENILE DIVISION</u>	
<u>DETENTION CENTER</u>	<u>GUARDIAN AD LITEM FUND</u>
3. Other Services and Charges	<u>\$53,474</u>
TOTAL INCREASE	<u>\$53,474</u>

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

<u>SUPERIOR COURT JUVENILE DIVISION</u>	
<u>DETENTION CENTER</u>	<u>GUARDIAN AD LITEM FUND</u>
1. Personal Services	<u>\$51,000</u>
Unappropriated and Unencumbered Guardian Ad Litem Fund	<u>2,474</u>
TOTAL REDUCTION	<u>\$53,474</u>

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

PROPOSAL NO. 462, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 462, 1992 on September 23, 1992. The proposal appropriates \$21,300 for the Superior Court, Criminal Division, Probation Department, to purchase supplies and a printer and pay miscellaneous expenses. 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 8:17 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 462, 1992 was adopted on the following roll call vote; viz:

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

Proposal No. 462, 1992 was retitled FISCAL ORDINANCE NO. 65, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 65, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Twenty-one thousand Three Hundred Dollars (\$21,300) in the Adult Probation Fees Fund for purposes of the Superior Court, Criminal Division, Probation Department, and reducing the unappropriated and unencumbered balance in the Adult Probation Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (II) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Probation Department, to: purchase supplies; pay for utilities, computer repair, mileage charges, vehicle rental charges; and purchase a computer.

SECTION 2. The sum of Twenty-one Thousand Three Hundred Dollars (\$21,300) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION</u> <u>PROBATION DEPARTMENT</u> 2. Supplies 3. Other Services and Charges 4. Capital Outlay TOTAL INCREASE	<u>SUPPLEMENTAL ADULT</u> <u>PROBATION FEES FUND</u> \$ 3,300 17,500 <u>500</u> \$21,300
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SECTION 4. The said additional appropriations are funded by the following reductions:

Unappropriated and Unencumbered Supplemental Adult Probation Fees Fund TOTAL REDUCTION	<u>SUPPLEMENTAL ADULT</u> <u>PROBATION FEES FUND</u>  <u>\$21,300</u> \$21,300
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SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 463, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 463, 1992 on September 23, 1992. The proposal appropriates \$97,212 for Community Corrections to initiate an Intensive Probation Services Program for juveniles funded by a state grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Gilmer, for adoption. Proposal No. 463, 1992, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 463, 1992, as amended, was retitled FISCAL ORDINANCE NO. 66, 1992 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) appropriating an additional Ninety-seven Thousand Two Hundred Twelve Dollars (\$97,212) in the State and Federal Grants Fund for purposes of the Community Corrections 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 2.01 (aa) of the City-County Annual Budget for 1992, be and is hereby amended by the increases and reductions hereinafter stated for purposes of Community Corrections to amend the basic Marion County juvenile grant for re-entry services, by adding an intensive probation services component that is projected to serve 90 youth over a 10 month period. The goal of this program is the diversion of offenders from Indiana Boys' School and Indiana Girls' School.

SECTION 2. The sum of Ninety-seven Thousand Two Hundred Twelve Dollars (\$97,212) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$41,476
4. Capital Outlay	48,000
<u>COUNTY AUDITOR</u>	
1. Personal Services (Fringes)	7,736
TOTAL INCREASE	\$97,212

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	\$97,212
TOTAL REDUCTION	\$97,212

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

PROPOSAL NO. 485, 486, 487 and 488, 1992. Councillor Ruhmkorff asked for consent to discuss these proposals together since they all relate to the Marion County Department of Public Welfare. Consent was given.

PROPOSAL NO. 485, 1992. The proposal determines not to allow the Welfare Director of Marion County to borrow, on a short term basis, \$10,400,000 to fund welfare services for the remainder of 1992. PROPOSAL NO. 486, 1992. The proposal determines to allow the Welfare Director of Marion County to borrow \$10,400,000 from another county fund to fund welfare services for the remainder of 1992, to order transfer of those funds to the welfare fund and appropriate the money for payment of costs incurred in providing welfare services for the remainder of 1992. PROPOSAL NO. 487, 1992. The proposal grants the request of the Welfare Director of Marion County to borrow, on a short term basis, \$10,400,000 to pay the cost of providing welfare services for the remainder of 1992, and authorizes and orders the Auditor to borrow such funds from a financial institution and issue notes evidencing the borrowed funds. PROPOSAL NO. 488, 1992. The proposal authorizes the County Auditor, upon receipt of an order from the State Board of Tax Commissions, to borrow \$10,400,000 from a financial institution on behalf of the County Department of Public Welfare to pay for the department's welfare obligations pursuant to IC 12-19-5 and appropriates the proceeds of the borrowing. Councillor Ruhmkorff reported that the

October 12, 1992

Community Affairs Committee heard Proposal Nos. 485, 486, 487 and 488, 1992 on October 7, 1992. She said that the County Auditor does not have the money to loan to the Welfare Department. By a 6-0 vote, the Committee reported Proposal Nos. 485 and 488, 1992 to the Council with the recommendation that they do pass. By a 6-0 vote, the Committee reported Proposal Nos. 486 and 487, 1992 to the Council with the recommendation that they be stricken.

The President called for public testimony on Proposal Nos. 485, 486, 487 and 488, 1992 at 8:31 p.m. No one came forward to testify.

The President explained that the first action is to pass or reject Proposal Nos. 485 and 488, 1992. If Proposal Nos. 485 and 488, 1992 pass then the second action would be to strike Proposal Nos. 486 and 487, 1992.

Councillor Short stated that he will be voting against Proposal Nos. 485 and 488, 1992. He said that the Council takes this type of action every year. A balanced budget is passed and then at the very next meeting legislation is passed to raise taxes. He believes this is due to the fact that the County Auditor has taken the Welfare Debt Service Fund rate and shifted that rate to the General Fund which, in his opinion, borders on fraud.

John von Arx, County Auditor, denied Councillor Short's allegation. He said that he had been assured by welfare officials in May that they would not need to borrow money in 1992; however, they later said they needed additional money.

Councillor West moved the question. Councillor Gilmer seconded the motion. This motion passed by the following roll call vote; viz:

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

Proposal Nos. 485 and 488, 1992 were adopted on the following roll call vote; viz:

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

Proposal No. 485, 1992 was retitled SPECIAL ORDINANCE NO. 13, 1992 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 13, 1992

A SPECIAL ORDINANCE determining not to allow the Marion County Department of Public Welfare to borrow money to fund welfare services pursuant to IC 12-19-5.

WHEREAS, the Welfare Director of Marion County (the "Director") has determined that the welfare fund of Marion County, Indiana (the "County"), will be exhausted before the end of the fiscal year ending December 31, 1992; and

WHEREAS, the Director has appealed to the State Division of Family and Children (the "Division") for the right to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000.00) on a short term basis to fund welfare services in the County; and

WHEREAS, in said appeal, the Director has shown: (i) that the amount of money contained in the welfare fund of the County will not be sufficient to fund services required to be provided within the County by I.C. 12-19; and (ii) that the Director estimates that Ten Million Four Hundred Thousand Dollars (\$10,400,000.00) will be needed to fund that deficit; and

WHEREAS, upon receipt of said appeal, the Division: (i) held a public hearing on the topic of whether the County should be allowed to borrow money, (ii) determined that the welfare fund of the County will be exhausted before it can fund all County obligations incurred under I.C. 12-19, (iii) adopted a resolution at that meeting supporting the proposal to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000.00), and (iv) transmitted said resolution to the Director; and

WHEREAS, upon receipt of said resolution, the Director submitted the appeal and the Division's resolution to the Board of Commissioners of the County (the "Board of Commissioners") and the Mayor of the City of Indianapolis, Indiana (the "Mayor"); and

WHEREAS, upon receipt of said appeal, the Board of Commissioners and the Mayor determined that there were insufficient funds in any county fund to appropriate funds to the welfare fund and therefore determined not to loan the requested amount to the County Department of Public Welfare (the "Department"); and

WHEREAS, the Board of Commissioners and the Mayor have submitted the appeal to the Auditor of the County (the "Auditor"), who has requested a special meeting of the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), at which meeting the City-County Council is to determine whether or not to allow the Department to borrow money; and

WHEREAS, the City-County Council now finds and determines that the appeal and request of the Director should not be granted and that the Department should not be allowed to borrow money under IC 12-19-5-5; now therefore:

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

SECTION 1. The City-County Council hereby finds and determines that the appeal and request of the Director is not granted and that the Department should not be allowed to borrow money under Indiana Code 12-19-5-5 to fund welfare services in the County.

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

Proposal No. 488, 1992 was retitled SPECIAL ORDINANCE NO. 14, 1992 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 14, 1992

A SPECIAL ORDINANCE authorizing the County Auditor, upon receipt of an order from the State Board of Tax Commissioners, to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000) from a financial institution on behalf of the County Department of Public Welfare to pay for the Department's County welfare obligations pursuant to IC 12-19-5 and appropriating the proceeds of the borrowing.

WHEREAS, the Welfare Director of Marion County (the "Director") has determined that the welfare fund of Marion County, Indiana (the "County"), will be exhausted before the end of the fiscal year ending December 31, 1992; and

WHEREAS, the Director has appealed to the State Division of Family and Children (the "Division") for the right to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000) on a short term basis to fund welfare services in the County; and

WHEREAS, in said appeal, the Director has shown: (i) that the amount of money contained in the welfare fund of the County will not be sufficient to fund services required to be provided within the County by IC 12-19; and (ii) that the Director estimates that Ten Million Four Hundred Thousand Dollars (\$10,400,000) will be needed to fund that deficit; and

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WHEREAS, upon receipt of said appeal, the Division: (i) held a public hearing on the topic of whether the County should be allowed to borrow money, (ii) determined that the welfare fund of the County will be exhausted before it can fund all County obligations incurred under IC 12-19, (iii) adopted a resolution at that meeting supporting the proposal to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000), and (iv) transmitted said resolution to the Director; and

WHEREAS, upon receipt of said resolution, the Director submitted the appeal and the Division's resolution to the Board of Commissioners of the County (the "Board of Commissioners") and the Mayor of the City of Indianapolis, Indiana (the "Mayor"); and

WHEREAS, upon receipt of said request, the Board of Commissioners and the Mayor determined that sufficient funds are not available in any other County fund and therefore determined not to loan the requested amount to the County Department of Public Welfare (the "Department"); and

WHEREAS, the Board of Commissioners and the Mayor submitted the request to the Auditor of the County (the "Auditor"), who requested a special meeting of the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), at which meeting the City-County Council is to determine whether or not to allow the Department to borrow money; and

WHEREAS, the City-County Council has found and determined that the appeal and request of the Director should not be granted and that the Department should not be allowed to borrow money under IC 12-19-5-5; and

WHEREAS, IC 12-19-5-5 provides that, if the City-County Council determines that the Board should not be allowed to borrow money under IC 12-19-5-5, the Director may appeal to the State Board of Tax Commissioners for the right to borrow money to pay for the Department's County welfare obligations; and

WHEREAS, upon such an appeal, the State Board of Tax Commissioners may order the Auditor to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000) from a financial institution on behalf of the Department; and

WHEREAS, the City-County Council hereby finds and determines that, upon receipt of such an order (an "Order"), it will be necessary for the County to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000) from a financial institution on behalf of the Department and to issue notes in the aggregate principal amount of Ten Million Four Hundred Thousand Dollars (\$10,400,000) (the "Notes"), in order to pay for the Department's County welfare obligations during the fiscal year ending December 31, 1992, including payment of costs of issue of the Notes; and

WHEREAS, the City-County Council hereby finds and determines that, upon receipt of an Order, the County will not have sufficient moneys available or provided for in the existing budgets and tax levies which may be applied to pay for the Department's County welfare obligations during the fiscal year ending December 31, 1992, including payment of costs of issuance of the Notes, making it a necessity for the making of the additional appropriation hereinafter set out; now therefore:

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

SECTION 1. Upon receipt of an Order, the Auditor is hereby authorized and directed to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000) from a financial institution on behalf of the Department to pay for the Department's County welfare obligations during the fiscal year ending December 31, 1992, including payment of costs of issuance of any notes evidencing such borrowing. In order to procure this loan, this City-County Council is hereby authorized and directed to have prepared and to issue and sell negotiable general obligation notes of the County, to be designated as "Marion County, Indiana, Public Welfare General Obligation Notes of 1992," in the aggregate principal amount of Ten Million Four Hundred Thousand Dollars (\$10,400,000) (the "Notes"). The Notes shall be issued in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) or any integral multiple of Five Thousand Dollars (\$5,000) in excess of One Hundred Thousand Dollars (\$100,000), not exceeding the aggregate principal amount of the Notes maturing on any semi-annual maturity date, shall be numbered consecutively from 92R-1 upwards, and shall bear interest at a rate or rates not exceeding eight percent (8%) per annum (the exact rate or rates to be determined by negotiation with a financial institution (the "Bank") as determined by the Auditor), which interest shall be payable semi-annually on the twenty-ninth (29th) day of June and the twenty-ninth (29th) day of December of each year, commencing June 29, 1993. Interest shall be calculated on the basis of the actual number of days elapsed during a three hundred sixty-five (365) -day year. The Notes shall mature in two (2) semi-annual series, each series being payable on the dates and in the amounts as follows:

*Journal of the City-County Council*

<u>Date</u>	<u>Principal Amount</u>
June 29, 1993	\$5,200,000
December 29, 1993	\$5,200,000

The principal of the Notes shall be payable at the office of the Treasurer of Marion County, Indiana, as paying agent (the "Paying Agent"), in the City of Indianapolis, Indiana. Interest on the Notes shall be paid by check or draft mailed or delivered to the registered owner thereof at the address as it appears on the registration books kept by the Treasurer of Marion County, Indiana, as registrar (the "Registrar"), in the City of Indianapolis, Indiana, as of the fifteenth (15th) day of the month of the interest payment date or at such other address as is provided to the Paying Agent in writing by such registered owner. All payments on the Notes shall be made in any coin or currency of the United States of America, which on the dates of such payments shall be legal tender for the payment of public and private debts.

Each Note shall be transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Note together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered Note or Notes in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The Registrar shall not be obligated to make any exchange or transfer of Notes following the fifteenth (15th) day of the month of an interest payment date on the Notes until such interest payment date. The County, the Registrar and the Paying Agent may treat and consider the person in whose name any Note is registered as the absolute owner thereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

In the event any Note is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new Note of like date, maturity and denomination as that mutilated, lost, stolen or destroyed, which new Note shall be marked in a manner to distinguish it from the Note for which it was issued, provided that, in the case of any mutilated Note, such mutilated Note shall first be surrendered to the County and the Registrar, and, in the case of any lost, stolen or destroyed Note, there shall be first furnished to the County and the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnity satisfactory to them. In the event any such lost, stolen or destroyed Note shall have matured, instead of issuing a duplicate Note, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. In such event, the County and the Registrar may charge the holder of such Note with their reasonable fees and expenses in connection with the above. Every substitute Note issued by reason of any Note being lost, stolen or destroyed shall, with respect to such Note, constitute a substitute contractual obligation of the County, whether or not the lost, stolen or destroyed Note shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Notes duly issued hereunder.

The Notes shall bear an original date which shall be the day on which the Notes are initially delivered to the purchaser or purchasers thereof, and each Note shall also bear the date of its authentication. Notes authenticated on or before June 15, 1993, shall be paid interest from the original date. Notes authenticated thereafter shall be paid interest from the interest payment date next preceding the date of authentication of such Notes unless the Notes are authenticated between the fifteenth (15th) day of the month of an interest payment date and the interest payment date, in which case interest thereon shall be paid from such interest payment date.

The Notes shall be executed in the name of the County by the manual or facsimile signatures of the Board of Commissioners and attested by the manual or facsimile signature of the Auditor, who shall cause the official seal of the County to be impressed or a facsimile thereof to be printed or otherwise reproduced on each of the Notes. Subject to the provisions for registration, the Notes shall be negotiable under the laws of the State of Indiana.

The Notes shall be authenticated with the manual signature of an authorized representative of the Registrar, and no Note shall be valid or obligatory for any purpose until the certificate of authentication on such Note shall have been so executed.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to each registered owner of Notes then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Notices to registered owners of Notes shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear in the registration books kept by the Registrar.

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SECTION 2. The form and tenor of the Notes shall be substantially as follows (all blanks to be properly completed prior to the preparation of the Notes):

[Form of Note]

UNITED STATES OF AMERICA

State of Indiana

County of Marion

No. 92R-\_\_\_\_\_

\$ \_\_\_\_\_

MARION COUNTY, INDIANA  
PUBLIC WELFARE GENERAL OBLIGATION NOTE OF 1991

INTEREST RATE	MATURITY DATE	ORIGINAL DATE	AUTHENTICATION DATE
------------------	------------------	------------------	------------------------

REGISTERED OWNER:

PRINCIPAL SUM:

The County of Marion, in the State of Indiana (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the registered owner (named above) or registered assigns, the principal amount set forth above on the maturity date set forth above, and to pay interest on said principal sum to the registered owner of this note until the County's obligation with respect to the payment of said principal sum shall be discharged, at the rate per annum specified above from the interest payment date immediately preceding the date of the authentication of this note, unless this note is authenticated on or before June 15, 1993, in which case interest shall be paid from the original date specified above, or unless this note is authenticated between the fifteenth (15th) day of the month of an interest payment date and the interest payment date, in which case interest shall be paid from such interest payment date. Interest shall be payable on the twenty-ninth (29th) day of June and the twenty-ninth (29th) day of December of each year, commencing June 29, 1993. Interest shall be calculated on the basis of the actual number of days elapsed during a three hundred sixty-five (365) -day year.

The principal of this note is payable at the principal office of the Treasurer of Marion County, Indiana, as paying agent (the "Paying Agent"), in the City of Indianapolis, Indiana. Interest on this note shall be paid by check or draft mailed or delivered to the registered owner hereof at the address as it appears on the registration books kept by the Treasurer of Marion County, Indiana, as registrar (the "Registrar"), in the City of Indianapolis, Indiana, as of the fifteenth (15th) day of the month of the interest payment date or at such other address as is provided to the Paying Agent in writing by the registered owner. All payments on this note shall be made in any coin or currency of the United States of America which on the dates of such payments shall be legal tender for the payment of public and private debts. Subject to the provisions for registration, this note is negotiable under the laws of the State of Indiana.

This note is one of an authorized issue of notes of the County of Marion, Indiana, aggregating Ten Million Four Hundred Thousand Dollars (\$10,400,000), numbered consecutively from 92R-1 upwards, issued pursuant to the provisions of Title 12, Article 19, Chapter 5 of the Indiana Code (the "Act"), and in accordance with an ordinance adopted by the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council"), on the \_\_\_\_ day of \_\_\_\_\_, 1992, entitled "Special Ordinance No. \_\_\_\_ --A SPECIAL ORDINANCE authorizing the County Auditor, upon receipt of an order from the State Board of Tax Commissioners, to borrow Ten Million Four Hundred Thousand Dollars (\$10,400,000) from a financial institution on behalf of the County Department of Public Welfare to pay for the Department's County welfare obligations pursuant to IC 12-19-5 and appropriating the proceeds of the borrowing" (the "Ordinance"), authorizing the making of a loan by the City-County Council to pay for the Marion County Department of Public Welfare's County welfare obligations during the fiscal year ending December 31, 1992, including payment of costs of issuance of said notes. Pursuant to the Act, the Auditor of Marion County, Indiana, is required to levy a property tax, beginning in 1993 and continuing for the term of the loan, in an amount each year that will be sufficient to pay the principal and interest due on the loan for the year.

This note is transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this note together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered note or notes in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The Registrar shall not be obligated to make any exchange or transfer of this note following

the fifteenth (15th) day of the month of an interest payment date on this note until such interest payment date. The County, the Registrar and the Paying Agent may treat and consider the person in whose name this note is registered as the absolute owner hereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

In the event this note is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new note of like date, maturity and denomination as this note, which new note shall be marked in a manner to distinguish it from this note, provided that, in the case of this note being mutilated, this note shall first be surrendered to the County and the Registrar, and, in the case of this note being lost, stolen or destroyed, there shall first be furnished to the County and the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnify satisfactory to them. In the event that this note, being lost, stolen or destroyed, shall have matured, instead of issuing a duplicate note, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay this note without surrender hereof. In such event, the County and the Registrar may charge the holder of this note with their reasonable fees and expenses in connection with the above. Every substitute note issued by reason of this note being lost, stolen or destroyed shall, with respect to this note, constitute a substitute contractual obligation of the County, whether or not this note, being lost, stolen or destroyed, shall be found at any time, and shall be entitled to all the benefits of the Ordinance referred to above, equally and proportionately with any and all other notes duly issued thereunder.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to each registered owner of notes then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Notices to registered owners of notes shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear in the registration books kept by the Registrar.

The notes maturing on any semi-annual maturity date are issuable only in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) or any integral multiple of Five Thousand Dollars (\$5,000) in excess of One Hundred Thousand Dollars (\$100,000), not exceeding the aggregate principal amount of the notes maturing on such date.

The City-County Council may, from time to time and at any time, without the consent of, or notice to, any of the owners of the notes, adopt ordinances supplemental to the Ordinance (which supplemental ordinances shall thereafter form a part of the Ordinance) for any one or more of the following purposes:

- (a) To cure any ambiguity or formal defect or omission in the Ordinance or in any supplemental ordinance;
- (b) To grant to or confer upon the owners of the notes any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the notes, or to make any change which, in the judgment of the City-County Council, is not to the prejudice of the owners of the notes;
- (c) To modify, amend or supplement the Ordinance to permit the qualification of the notes for sale under the securities laws of the United States of America or of any of the states of the United States of America or to obtain or maintain bond insurance with respect to payments of principal of and interest on the notes;
- (d) To provide for the refunding or advance refunding of the notes;
- (e) To procure a rating on the notes from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the notes; or
- (f) Any other purpose which in the judgment of the City-County Council does not adversely impact the interests of the owners of the notes.

In the manner provided in the Ordinance, the Ordinance and the rights and obligations of the County and the owners of the notes may (with certain exceptions as stated in the Ordinance) be modified or amended at any time with the consent of the owners of at least sixty percent (60%) in aggregate principal amount of outstanding notes, exclusive of notes, if any, owned by the County.

If this note or any portion hereof shall have become due and payable in accordance with its terms and the whole amount of the principal and interest so due and payable upon this note or such portion hereof shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit of a bank or banks, fully

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secured as to both principal and interest by obligations of the kind described in clause (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in such event this note or such portion hereof shall no longer be deemed outstanding or an indebtedness of the County.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this note have been done and performed in regular and due form as provided by law; that this note and said total issue of notes is within every limit of indebtedness provided by the constitution and laws of the State of Indiana, and that the full faith and credit of Marion County together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this note according to its terms.

This note shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the County of Marion, Indiana, has caused this note to be executed by the manual or facsimile signatures of its duly elected, qualified and acting Board of Commissioners and attested by the manual or facsimile signature of the duly elected, qualified and acting Auditor of Marion County, Indiana, who has caused the official corporate seal of the County to be impressed or a facsimile thereof to be printed or otherwise reproduced hereon.

THE COUNTY OF MARION, INDIANA

By: \_\_\_\_\_

\_\_\_\_\_

THE BOARD OF COMMISSIONERS OF THE  
COUNTY OF MARION, INDIANA

(SEAL)

ATTEST:

\_\_\_\_\_  
Auditor, County of Marion, Indiana

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This note is one of the notes described in the within mentioned Ordinance.

TREASURER, COUNTY OF MARION, INDIANA

\_\_\_\_\_

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto (insert name and address) \_\_\_\_\_ the within note and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney to transfer the within note on the books kept for the registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within note in every particular, without alternation or enlargement or any change whatsoever.

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

[End of Note]

SECTION 3. As soon as can be done after the passage of this Ordinance, the Auditor shall negotiate for the sale of the Notes with a financial institution. The Notes shall be sold at any interest rate or rates not exceeding eight percent (8%) per annum, and may be subject to any premium or discount, all as determined through negotiation with the financial institution, consistent with the best interest of the County and the terms of this Ordinance.

Prior to the delivery of the Notes, the Auditor shall be authorized to obtain a legal opinion as to the validity of the Notes from Barnes & Thornburg, Indianapolis, Indiana, and to furnish such opinion to the purchaser or purchasers of the Notes. The cost of such opinion shall be considered as part of the costs of issuance of the Notes and shall be paid out of proceeds of the Notes.

SECTION 4. The City-County Council may, from time to time and at any time, without the consent of, or notice to, any of the owners of the Notes, adopt ordinances supplemental hereto (which supplemental ordinances shall thereafter form a part hereof) for any one or more of the following purposes:

- (a) To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance;
- (b) To grant to or confer upon the owners of the Notes any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the Notes, or to make any change which, in the judgment of the City-County Council, is not to the prejudice of the owners of the Notes;
- (c) To modify, amend or supplement this Ordinance to permit the qualification of the Notes for sale under the securities laws of the United States of America or of any of the states of the United States of America or to obtain or maintain bond insurance with respect to payments of principal of and interest on the Notes;
- (d) To provide for the refunding or advance refunding of the Notes;
- (e) To procure a rating on the Notes from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the Notes; or
- (f) Any other purpose which in the judgment of the City-County Council does not adversely impact the interests of the owners of the Notes.

This Ordinance and the rights and obligations of the County and the owners of the Notes may be modified or amended at any time by supplemental ordinances adopted by the City-County Council with the consent of the owners of the Notes holding at least sixty percent (60%) in aggregate principal amount of the outstanding Notes (exclusive of Notes, if any, owned by the County); provided, however, that no such modification or amendment shall, without the express consent of the owners of the Notes affected, reduce the principal amount of any Note, reduce the interest rate or premium payable thereon, advance the earliest redemption date, extend its maturity or the times for paying interest thereon, permit a privilege or priority of any Note or Notes over any other Note or Notes, create a lien securing any Notes other than a lien ratably securing all of the Notes outstanding, or change the monetary medium in which principal and interest are payable, nor shall any such modification or amendment reduce the percentage of consent required for amendment or modification.

Any act done pursuant to a modification or amendment so consented to shall be binding upon all the owners of the Notes and shall not be deemed an infringement of any of the provisions of this Ordinance, and may be done and performed as fully and freely as if expressly permitted by the terms of this Ordinance, and, after such consent relating to such specified matters has been given, no owner shall have any right or interest to object to such action or in any manner to question the propriety thereof or to enjoin or restrain the City-County Council or any officer of the County from taking any action pursuant thereto.

If the City-County Council shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the respective owners of the Notes at their addresses appearing on the registration books held by the Registrar. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the Notes. The Registrar shall not, however, be subject to any liability to any owners of the Notes by reason of its failure to mail the notice described in this Section 4, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as provided in this Section 4.

Whenever at any time within one (1) year after the date of the mailing of such notice, the City-County Council shall receive an instrument or instruments purporting to be executed by the owners of the Notes of not less than sixty percent (60%) in aggregate principal amount of the Notes then outstanding (exclusive of Notes, if any, owned by the County), which instrument or instruments shall refer to the proposed supplemental

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ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the City-County Council may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the Notes, whether or not such owner shall have consented thereto.

Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section 4, this Ordinance shall be, and be deemed to be, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance shall thereafter be determined, exercised and enforced hereunder, subject in all respects to such modifications and amendments.

**SECTION 5.** If, when the Notes or any portion thereof shall have become due and payable in accordance with their terms and the whole amount of the principal and interest so due and payable upon the Notes or such portion thereof then outstanding shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in clause (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then and in such event the Notes or such portion thereof shall no longer be deemed outstanding or an indebtedness of the County.

**SECTION 6.** In order to preserve the exclusion from gross income of interest on the Notes under federal law, the County represents, covenants and agrees that, to the extent necessary to preserve such exclusion:

(a) No person or entity or any combination thereof, other than the County or any other governmental unit ("Governmental Unit") within the meaning of Section 141(b)(6) and Section 150 (a)(2) of the Internal Revenue Code of 1986, as amended and as in effect on the date of delivery of the Notes (the "Code"), will use any proceeds of the Notes or property financed by such proceeds other than as a member of the general public; and no person or entity or any combination thereof other than the County or any other Governmental Unit will own any property financed out of the proceeds of the Notes or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as take-or-pay or other type of output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use of such property by the public at large;

(b) No Note proceeds will be lent to any entity or person; and no Note proceeds will be transferred directly or indirectly transferred or deemed transferred to a person other than a Governmental Unit in a fashion that would in substance constitute a loan of such Note proceeds;

(c) The County will not take any action or fail to take any action with respect to the Notes that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Notes pursuant to Section 103(a) of the Code, and the City-County Council will not act or permit any actions by officers or officials of the County that would in any manner adversely affect such exclusion; the County further covenants that it will not make any investment or do any other act or thing during the period that any Note is outstanding hereunder which would cause any Note to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Notes; and the County shall comply with the arbitrage rebate requirements under Section 148 of the Code to the extent applicable;

(d) All officers, employees and agents of the County are hereby authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the County as of the date that the Notes are issued, and to make covenants on behalf of the County evidencing the County's commitments made herein and, in particular, any and all appropriate officers, employees and agents of the County are authorized to certify and/or enter into covenants for the County regarding (i) the facts and circumstances and reasonable expectations of the County on the date that the Notes are issued and (ii) the representations and covenants made herein by the County regarding the amount and use of the proceeds of the Notes; and

(e) The County is hereby authorized and directed to employ consultants and attorneys from time to time to advise the County with respect to the requirements under federal law for the continuing preservation of the exclusion of interest on the Notes from gross income for purposes of federal income taxation.

**SECTION 7.** Notwithstanding any other provision of this Ordinance, any of the covenants and authorizations contained in this Ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Notes from gross income for purposes of federal income taxation (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 8. If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the city in which the Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

SECTION 9. The Auditor is hereby authorized and directed to have the Notes prepared and cause to be affixed thereto the official seal of the County, or to have printed or otherwise reproduced thereon a facsimile of such seal, and the Board of Commissioners and the Auditor are hereby authorized and directed to execute the Notes manually or with a facsimile of their signatures in the form and manner herein provided.

SECTION 10. The proceeds from the sale of the Notes, in the amount of Ten Million Four Hundred Thousand Dollars (\$10,400,000), are hereby appropriated in Character 03 of the Welfare General Fund for the benefit of the State Department of Welfare for the fiscal year ending December 31, 1992, including payment of costs of issuance of the Notes.

SECTION 11. This ordinance shall be in full force an effect upon adoption and compliance with IC 36-3-4-14.

Proposal Nos. 486 and 487, 1992 were stricken by a majority voice vote.

### SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 286, 1992. The proposal concerns the reorganization of the Department of Transportation. Councillor Gilmer asked for consent to return this to Committee. Consent was given.

PROPOSAL NO. 439, 1992. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 439, 1992 on September 23, 1992. The proposal authorizes the County Auditor to transfer its portion of 1991 State grant funds from the Guardian Ad Litem Fund to the County General Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 439, 1992 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*2 NOT VOTING: Black, Golc*

*1 NOT PRESENT: Rhodes*

Proposal No. 439, 1992 was retitled FISCAL ORDINANCE NO. 67, 1992 and reads as follows:

#### CITY-COUNTY FISCAL ORDINANCE NO. 67, 1992

A FISCAL ORDINANCE amending the City-County Annual Budget for 1992 (City-County Fiscal Ordinance No. 61, 1991) transferring and appropriating an additional Fifty-eight Thousand One Hundred Dollars (\$58,100) in the County General Fund for purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Guardian Ad Litem Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b) of the City-County Annual Budget for 1992, be and is hereby amended by the increases

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and reductions hereinafter stated for purposes of the County Auditor to transfer its portion of 1991 State grant funds from the Guardian Ad Litem Fund to the County General Fund.

SECTION 2. The sum of Fifty-eight Thousand One Hundred Dollars (\$58,100) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following increased appropriations are hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$58,100</u>
TOTAL INCREASE	<u>\$58,100</u>

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

<u>COUNTY AUDITOR</u>	<u>GUARDIAN AD LITEM FUND</u>
Unappropriated and Unencumbered	
Guardian Ad Litem Fund	<u>\$58,100</u>
TOTAL REDUCTION	<u>\$58,100</u>

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

PROPOSAL NO. 445, 1992. In Councillor Rhodes absence, Councillor Curry reported that the Administration and Finance Committee heard Proposal No. 445, 1992 on October 5, 1992. The proposal amends the Code to establish fees to be charged for persons accessing the mainframe computer through the "Enhanced Access" Pilot Project. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 445, 1992, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 445, 1992, as amended, was retitled GENERAL ORDINANCE NO. 94, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1992

A GENERAL ORDINANCE concerning fees to be charged for persons accessing the mainframe computer through the "Enhanced Access" Pilot Project.

WHEREAS, the Clerk of the Marion Circuit Court desires to conduct a pilot project to provide enhanced electronic access by means of modem access to the mainframe computer which contains the Court records and contract with a limited number of private entities for the purpose of providing those portions of the Courts records which are deemed public at a reasonable fee by electronic modem access or facsimile transmission; and

WHEREAS, there is presently no set fee to be charged when a private entity has requested the opportunity to access the mainframe computer for those portions of the Courts records which are deemed public via electronic modem access or by means of facsimile transmission.

WHEREAS, IC 36-2-7-14 requires the judge of the circuit court to order a fee to be charged for services rendered by a county officer when the county officer is uncertain of the proper fee to be charged.

WHEREAS, the Judge of the Marion Circuit Court has ordered the Clerk of the Marion Circuit Court to charge a fee of thirty cents (\$0.30) per minute for actual connect time to the mainframe computer as monitored by the Information Services Agency during the term of the pilot testing project, and a facsimile transmission fee

for sending fax documents in an amount of two dollars (\$2.00) per page, cover page included, for any document the public requests to be sent to them via this method.

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

SECTION 1. Chapter 2, of the Code of Indianapolis and Marion County, Indiana, is hereby amended by adding a new Section 2-455 to read as follows:

Sec. 2-455. Outside Access Fees.

(a) The Clerk of the Marion Circuit Court may charge a fee of thirty cents (\$0.30) per minute for actual connect time to the mainframe computer as monitored by the Information Services Agency during the term of the pilot testing project.

(b) The Clerk of the Marion Circuit Court may charge a facsimile transmission fee for sending fax documents in an amount of two dollars (\$2.00) per page, cover page included, for any document the public requests to be sent to them via this method.

(c) The Clerk of the Marion Circuit Court shall forward the fees monthly to the Marion County Auditor for deposit in the county general fund.

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

PROPOSAL NO. 459, 1992. Councillor Curry reported that the Administration and Finance Committee heard Proposal No. 459, 1992 on October 5, 1992. The proposal amends the Code and the Revised Code concerning violations of certain ordinances which can be paid through the ordinance violations bureau. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Curry moved, seconded by Councillor Coughenour, for adoption.

Councillor Borst stated that, in his opinion, the animal violation penalties are too high.

Mark Mertz, City Prosecutor, stated that this proposal concerns certain violations and allows first-time offenders, during one calendar year, to mail in their fee instead of appearing in court. It is his opinion that people are willing to pay a higher fine so they do not have to appear in court.

Councillor Coughenour voiced her support for the proposal.

Councillor Moriarty asked if any of the moneys collected from these fines are distributed to the Animal Control Agency. Mr. Mertz replied that the Ordinance Violations Bureau collections are made payable to the City of Indianapolis.

Councillor Beadling asked how they will know if a person has had their dog vaccinated after they mail in their money. Mr. Mertz replied that at present there is no follow-up system.

Councillor Boyd stated that he believes that there should be some method of follow-up.

Councillor Black said that the Animal Control Board is drafting a proposal concerning animal control and he moved to table Proposal No. 459, 1992. This motion was seconded by Councillor Boyd. The motion failed by a majority voice vote.

The President suggested that Councillor Borst and Mr. Mertz meet to discuss some of these issues and if any changes are agreed upon, an ordinance can be introduced incorporating the changes.

Proposal No. 459, 1992 was adopted on the following roll call vote; viz:

18 YEAS: *Beadling, Brents, Coughenour, Curry, Giffin, Gilmer, Hinkle, Howard, McClamroch, Moriarty, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West*

9 NAYS: *Black, Borst, Boyd, Franklin, Golc, Jimison, Jones, Mullin, Williams*

1 NOT VOTING: *Dowden*

1 NOT PRESENT: *Rhodes*

Proposal No. 459, 1992 was retitled GENERAL ORDINANCE NO. 95, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1992

A GENERAL ORDINANCE amending Chapters 6, 7, 17, 17½, 18, 20 and 22 of the Code, and Sec. 103-302 of the Revised Code, regarding the enforcement of certain ordinances through the ordinance violations bureau.

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

SECTION 1. Secs. 6-4, 6-71, 6-150, 7-20, 17-792, 17½-17, 18-2, 20-9, 20-46, 22-2 and 22-9 of the Code of Indianapolis and Marion County, Indiana are hereby amended by deleting the stricken-through text and by inserting the underlined text to read as follows:

Sec. 6-4. Animals not to be at large.

(a) It shall be unlawful for the owner or keeper of an animal to cause, suffer, or allow that animal which is owned or kept by him to be at large within the city.

~~(b) The owner or keeper of an animal determined to be at large in violation of this section shall be punishable with respect to each such animal by fines, as follows:~~

~~(1) First offense: Twelve dollars and fifty cents (\$12.50);~~

~~(2) Second offense: Twenty five dollars (\$25.00);~~

~~(3) Third offense: Fifty dollars (\$50.00); and,~~

~~(4) Subsequent offenses: Twenty dollars (\$20.00) times the number of offenses committed by the person, including the first three (3) offenses."~~

(b) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

Sec. 6-71. When required.

(a) It shall be unlawful for any person to own within the city any dog six (6) months of age or older unless a current dog license issued by the city has been obtained for the dog by the person.

(b) Anyone who is not required to be licensed as a kennel and who occasionally offers puppies for sale shall file a notice with the city controller within ten (10) days after sale of one (1) or more puppies, which notice shall include the name, address and telephone number of the purchaser, and the age, sex and breed of the dog sold.

~~(c) Any person failing to comply with the licensing provisions of this section shall be punishable, with respect to each dog, in addition to a requirement to obtain the appropriate license, by fines as follows:~~

~~(1) First offense: Five dollars (\$5.00);~~

~~(2) Second offense: Twenty dollars (\$20.00);~~

~~(3) Third offense: Fifty dollars (\$50.00); and,~~

~~(4) Subsequent offenses: for each unlicensed dog, twenty dollars (\$20.00) times the number of offenses committed by the person, including the first three (3) offenses.~~

(c) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

Sec. 6-150. Rabies vaccination required.

~~(a) Each dog and cat kept in the city shall have a rabies vaccination more recent than one (1) year. It shall be unlawful for any person to own or keep within the city any dog or cat which does not have a rabies vaccination more recent than one (1) year.~~

~~(b) The owner of a dog or cat which does not have a rabies vaccination more recent than one (1) year shall be punishable by a fine in the following amounts, plus the expense to the quarantining authority of procuring for the animal a current rabies vaccination:~~

- ~~(1) First offense: Ten dollars (\$10.00);~~
- ~~(2) Second offense: Twenty five dollars (\$25.00);~~
- ~~(3) Third offense: Fifty dollars (\$50.00); and,~~
- ~~(4) Subsequent offenses: Fifty dollars (\$50.00) times the number of offenses, including the first three (3) offenses.~~

(b) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

Sec. 7-20. Bathing in unguarded areas.

(a) It shall be unlawful for any person to swim or wade in any canal, stream, pit, pond or other body of water or watercourse within the city, which was unguarded by a lifeguard who is assigned to guard such area by the owner or operator of such canal, stream, pit, pond or other body of water.

(b) The provisions of subsection (a) shall not apply to pools of the department of parks and recreation or clubs or other private beaches or pools which are guarded by lifeguards, nor to private residential swimming pools maintained by the homeowners.

(c) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

Sec. 17-792. Violations and penalties.

~~(a) Any violation of this article shall be subject to the penalties of section 1-8 of this Code. The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.~~

(b) Any sworn police officer of the city or of the county shall require any person operating as a transient merchant and who is known by such officer to be duly licensed to produce such license and shall enforce the provisions of this article against any person found to be violating the provisions of this article.

(c) Any sworn police officer may confiscate any property sold or offered for sale in violation of this article.

Sec. 17 $\frac{1}{2}$ -17. Vehicles dropping contents on streets.

(a) Any person who transports in any vehicle or in any other manner upon any public place any loose material or articles likely to sift, fall, spill or be blown upon the public way or place shall not overload the vehicle and shall cover the contents or shall convey the contents in tightly secured and covered boxes or containers. In case any of the contents thereof shall be blown, be spilled, fall or become scattered in any public

way or place, such person shall cause all fallen substances to be immediately gathered up and removed. It shall be a violation of this section to cause or allow such loose material or articles to be blown, be spilled, fall or become scattered upon the public way or place.

(b) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

Sec. 18-2. Unlawful noises.

(a) Except as otherwise provided in this section, it shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise, or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health and peace or safety of others within the city. Accordingly, the following acts, among others, are declared to be loud, disturbing and unnecessary noises and in violation of this section, but such enumeration shall not be deemed to be exclusive:

- (1) Horns and signaling devices. The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle in any street or public place of the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand, air or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the continued or repeated use of any such signaling device which traffic is for any reason held up, or in any parade, or in any group of vehicles.
- (2) Radios and Phonographs. Playing, using or operating, or permitting to be played, used or operated, any radio or television receiving set, musical instrument, phonograph, calliope or other machine or device for producing or reproducing sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated, and who are voluntary listeners thereto, except when a permit therefor for some special occasion is granted. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this subsection.
- (3) Loudspeakers, amplifiers for advertising. Playing, using or operating, or permitting to be played, used or operated, any radio or television receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for producing or reproducing sound at any place upon the public streets or in any vehicle used for the transportation of persons for hire as a common carrier, for the purpose of commercial or other kind of advertising or attracting the attention of the public to any activity or building or structure, which is so used as to disturb and annoy other persons in their businesses, homes or elsewhere in their right of personal privacy and quiet.
- (4) Yelling or shouting. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any person in the vicinity.
- (5) Animals or birds. The keeping of any animal or bird which, by causing frequent or long-continued noise, shall disturb the comfort or repose of any person in the vicinity.
- (6) Steam whistles. The blowing of any locomotive steam whistle, or steam whistle attached to any stationary boiler, or one operated by any other means, except to give notice of the time to begin or stop work, or as a warning of fire or danger, or upon request of the proper city authorities.
- (7) Exhausts. The discharge into the open air of the exhaust of any steam engine, internal-combustion engine, or any other type of engine or power unit on a motorboat, motor vehicle, motorcycle or other vehicle or craft of any kind, except through a muffler or other device which will effectively reduce and prevent loud or explosive noises therefrom.
- (8) Defect in vehicle or load. The use of any automobile, motorcycle or other kind of vehicle so out of repair, or so loaded, or in such manner as to create loud and unnecessary grating, grinding, rattling or other noises.

- (9) Loading, unloading, opening boxes. The creation of a loud and excessive noise in connection with loading or unloading any vehicle, or the opening and destruction of bales, boxes, crates and containers.
- (10) Construction or repairing of buildings. The erection, excavating for demolition, alteration or repair of any building, other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the division of buildings, which permit may be granted for a period not to exceed three (3) days while the emergency continues and which permit may be renewed for periods of three (3) days while the emergency continues. If the division of buildings should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building, or the excavation therefor, or of any streets and highways, between the hours of 6:00 p.m. and 7:00 a.m., and that loss or inconvenience would result to any party in interest, it may grant permission for such work to be done between the hours of 6:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is issued or during the progress of the work.
- (11) Schools, courts, churches, hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while it is in use, or adjacent to any hospital which unreasonably interferes with the operation thereof or which disturbs or unduly annoys patients in the hospital; provided that conspicuous signs are displayed in such streets indicating that the same has been declared and is a school, hospital or other such quiet zone.
- (12) Hawkers and peddlers. The loud shouting and crying of peddlers, hawkers and vendors which disturb the peace and quiet of the neighborhood.
- (13) Drums. The use of any drum, horn or other instrument or device for the purpose of attracting attention by creation of noise to any performance, exhibition, show or sale; except in a parade or place for which a permit has been granted.
- (14) Transporting metal rails, pillars and columns. The transportation of rails, pillars or columns of iron, steel or other material over and along the streets and other public places of the city, upon carts, drays, cars, trucks or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.
- (15) Railway cars, buses. Causing, permitting or continuing any excessive, unnecessary and avoidable noise in the operation of a bus or railway car by reason of defective conditions therein or of its tracks.
- (16) Pile drivers, hammers. The operation between the hours of 10:00 p.m. and 7:00 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance the use of which is attended by loud or unusual noise, except when being operated by a public utility in connection with emergency repairs of such utility.
- (17) Blowers. The operation of any noise-creating blower or power fan, or any internal-combustion engine, the operation of which causes noises due to the explosion of operating gases or fluids, unless the noise from the blower or fan is muffled and the engine is equipped with a muffler device sufficient to deaden such noise.
- (18) Vendor's vehicle. Using, operating or playing, or permitting to be used, operated or played, any bell, radio, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for producing or reproducing sound in or upon any vehicle used for the transportation and sale of any goods, wares or merchandise in or upon any of the streets or highways within the city, which sound-producing instruments are set to produce any noise, music or sound in excess of one hundred fifteen (115) decibels, measured at six (6) inches from the sound-producing amplifier of the speaker; the use and operation of any vehicle so equipped, with such sound-producing equipment in operation, between the hours of 10:00 p.m. and 10:00 a.m. of the succeeding day; or the use or operation of any sound-producing equipment in or upon any such vehicle while the vehicle is moving along or upon any street or highway; it being the intent and purpose of this subsection to permit the use of such sound-producing equipment in or upon any such vehicle only when the vehicle is parked or standing still in or upon any street or highway and during the hours provided in this subsection.
- (19) Portable radios in public conveyances. The audible using, operating or playing, or permitting to be used, operated or played, any radio, musical instrument or electronic recording device of any kind or character whatever in any public conveyance, except taxicabs and jitneys, operating in the

city; provided, however, it shall not be unlawful to listen to any such device by means of earplugs inserted in the hearer's ear and inaudible to any other person.

(b) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

Sec. 20-9. Loitering, unlawful assemblies.

(a) Loitering. No person shall loiter or prowl in a place, at a time or in a manner not usual for law abiding citizens, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity, in any public way, street, highway, place or alley and refuse to obey the lawful command of a police officer to move on or to provide to said police officer a lawful reason for remaining on said public way, street, highway, place or alley if the alleged loitering by said person would create or cause to be created any of the following:

- (1) Danger of a breach of the peace;
- (2) The unreasonable danger of a disturbance to the comfort and repose of any person acting lawfully on or in a public way, street, highway, place or alley reserved for pedestrians;
- (3) The obstruction or attempted obstruction of the free normal flow of vehicular traffic or the normal passage of pedestrian traffic upon any public way, street, highway, place or alley;
- (4) The obstruction, molestation or interference or attempt to obstruct, molest or interfere with any person lawfully on or in a public way, street, highway, place or alley, in a manner that would cause a reasonable person or pedestrian of a public way, street, highway, place or alley to fear for his or her safety.

(b) Unlawful assembly. No person who is a member of a group of three (3) or more persons who are loitering or prowling in a place, at a time or in a manner not usual for law abiding citizens, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity, in a public way, street, highway, place or alley, shall refuse the lawful command of a police officer to move or provide to said police officer a lawful reason for remaining in a public way, street, highway, place or alley, whether said group is stationary or in transit, if the alleged loitering would create or cause to be created any of the following:

- (1) Danger of a breach of the peace;
- (2) The unreasonable danger of a disturbance to the comfort and repose of any person acting lawfully on or in a public way, street, highway, place or alley reserved for pedestrians;
- (3) The obstruction or attempted obstruction of the free normal flow of vehicular traffic or the normal passage of pedestrian traffic upon any public way, street, highway, place or alley;
- (4) The obstruction, molestation or interference or attempt to obstruct, molest or interfere with any person lawfully on or in a public way, street, highway, place or alley, in a manner that would cause a reasonable person or pedestrian of a public way, street, highway, place or alley to fear for his or her safety.

(c) [Failure of police officer to comply with proper procedure.] No person shall be convicted under this section if the police officer failed to comply with the procedure outlined herein.

(d) [Person's explanation deemed true at trial.] No person shall be convicted under this section if it appears at trial that the explanation given by the person is true and, if believed by the police, would:

- (1) have dispelled the fear for human safety;
- (2) have dispelled the concern for safety of property;
- (3) have dispelled the fear of a breach of the peace;
- (4) have provided a justifiable reason for obstructing vehicular or pedestrian traffic, subject to the discretion of the court.

(e) [Probable cause to assume violation.] If a person takes flight upon appearance of a police officer who identifies himself as such, or refuses to identify himself, or attempts to conceal himself, said police officer has

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probable cause to believe a violation of this section has occurred, ~~and is hereby duly authorized to make an arrest.~~

(f) [Penalty.] Any person who violates the provisions of this section and is found guilty of said violation shall be fined not less than twenty five dollars (\$25.00) or more than five hundred dollars (\$500.00) for each offense and a separate offense shall be deemed committed on each day during which a violation occurs or continues. The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

(g) [Exception.] The provisions of this section shall not apply to solicitation for any lawful business or any lawful charity, licensed by the charities solicitation commission of the city.

Sec. 20-46. Noisy houses disturbing the peace.

(a) It shall be unlawful for any person to permit noisy or riotous persons, or persons of disorderly character, to assemble in any house owned, occupied or controlled by him.

(b) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

Sec. 22-2. Hours when parks are open to the public; unlawful entry.

(a) During the season, when so declared by the board of the department of parks and recreation, Garfield Public Park shall be open to the public from 6:00 a.m. until 10:00 p.m. and all other public parks shall be open to the public from 6:00 a.m. until 11:00 p.m.; however, upon written order of the director or on special occasions, the hours may be changed and fixed generally different from such specified hours.

(b) It shall be unlawful for any person, other than an employee of the city in the course of his employment, or except while traveling on an established roadway through a park, to be or remain in any park during a time it is not open, or to use any park at any time for any unlawful meetings or purposes.

(c) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

Sec. 22-9. Intoxication; narcotics.

(a) It shall be unlawful for any person to be intoxicated or be under the influence or effect of narcotics, or to use alcohol or narcotics in any park, playground, community building, golf clubhouse, swimming or wading pool or beach, or other premises or places under the jurisdiction or control of the department of parks and recreation, without the permission of said board.

(b) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in Sec. 1-8 of the Code of Indianapolis and Marion County, Indiana.

SECTION 2. Sec. 103-302 of the Revised Code of the Consolidated City and County is hereby amended by deleting the stricken-through text and by inserting the underlined text to read as follows:

<u>Code Section</u>	<u>Subject Matter</u>	<u>Civil Penalty</u>
<u>4-149 71</u>	<u>Open Burning</u>	<u>50.00</u>
<u>6-4</u>	<u>Animal at Large - 1st offense in calendar year</u>	<u>50.00</u>
<u>6-71</u>	<u>Unlicensed Dog - 1st offense in calendar year</u>	<u>50.00</u>
<u>6-150</u>	<u>Unvaccinated Dog or Cat - 1st offense in calendar year</u>	<u>50.00</u>

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7-20	<u>Swimming in Unguarded Waters - 1st offense in calendar year</u>	50.00
17-151	Sale of tobacco products without license - first offense	45.00
17-154	Prohibited distributions of tobacco products - first offense	45.00
17-780	<u>Unlicensed Transient Merchant - 1st offense in calendar year</u>	50.00
17½-8	Littering on premises of another	45.00
17½-17	<u>Vehicle Losing its Load - 1st offense in calendar year</u>	50.00
18-2	<u>Unlawful Noise - 1st offense in calendar year</u>	50.00
20-9	<u>Loitering - 1st offense in calendar year</u>	50.00
20-46	<u>Noisy House - 1st offense in calendar year</u>	50.00
21½-14	3rd False Alarm in calendar year	20.00
21½-14	4th False Alarm in calendar year	30.00
21½-14	5th through 7th False Alarm in calendar year	40.00
22-2	<u>In Park After Hours - 1st offense in calendar year</u>	50.00
22-9	<u>Alcohol in Park - 1st offense in calendar year</u>	50.00
28-16	Parking prohibited for street repairs and cleaning	7.50
29-8	Pedestrian violations	7.50
29-27	Parking when temporarily prohibited	7.50
29-97	Display of unauthorized traffic controls	7.50
29-98	Interference with traffic control devices	7.50
29-123	Unlawful use of horn or sounding device	15.00
29-223	Unlawfully parked trailer	7.50
29-251	Unlawful parking near fire hydrant	7.50
29-252	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
29-253	Unlawful parking in certain school areas	7.50
29-254	Unlawful manner of parking	7.50
29-255	No required lights on certain parked vehicles	7.50
29-256.1	Violation of handicapped parking restrictions	7.50
29-256.2	Unlawful parking in handicapped parking meter zone	7.50
29-257	Unloading perpendicular to curb without permit	7.50
29-258	Unlawful use of bus stops and taxicab stand	7.50
29-259	Unlawful use of passenger and loading zones	7.50
29-260	Unlawful parking adjacent to certain buildings	7.50
29-262	Unlawful parking for display for sale or advertising	7.50
29-263	Unlawful parking for more than 6 hours	7.50
29-264	Unlawful parking of commercial vehicles at night	7.50
29-265	Unlawful parking in alleys or on certain narrow streets	7.50
29-266	Unlawful parking in designated special parking areas	7.50
29-267	Parking on certain streets where prohibited at all times	7.50
29-268	Stopping, standing or parking on streets where prohibited at all times	7.50
29-269	Parking on certain streets where prohibited at all times on certain days	7.50
29-270	Parking on certain streets when prohibited at certain times on certain days	7.50
29-271	Stopping, standing or parking during prohibited hours on certain days on certain streets. If between hours of 6:00 a.m. - 9:00 a.m., 7:00 a.m. - 9:00 a.m., 3:00 p.m. - 6:00 p.m., 4:00 p.m. - 6:00 p.m.	25.00
29-272	Parking longer than permitted on certain streets at certain times on certain days	7.50
29-284	Parking in excess of time permitted in parking meter zone	7.50
29-291	Parking in meter zone when temporarily prohibited	7.50
29-297	Overtime parking in metered parking space	7.50
29-321	Unlawful parking during snow emergency	25.00
29-335	Leaving taxicab unattended	7.50
29-336	Unlawful parking of bus or taxicab	7.50
29-337	Unlawful parking in certain mailbox zones	7.50
29-341	Unlawful stopping, standing or parking near fire hydrant	7.50
29-342	Unlawful obstruction of fire lane	7.50
29-398	Unlawful loading or unloading of private bus	7.50
29-400	Unlawfully stopping of food vendor vehicle	7.50
29-401	Violation of noise restriction on food vendors	7.50
29-403	Failure of food vending vehicle to display required warnings	7.50
29-403.2	Unlawful vending for other than curb side of vending vehicle	7.50
29-406	Operation of bicycle without required equipment	7.50
29-407	Unlawful operation of bicycle	7.50
29-424	Operation of unregistered bicycle	7.50
29-440	Consumption or possession by operator of motor vehicle - <u>1st offense in calendar year</u>	50.00
29-441	Operating motor vehicle containing open alcoholic beverages - <u>1st offense in calendar year</u>	50.00

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

PROPOSAL NO. 465, 1992. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 465, 1992 on September 24, 1992. The proposal authorizes approval of an amendment to an existing Interlocal Cooperation Agreement between the City of Indianapolis and the City of Beech Grove for treatment of Beech Grove sewage. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Hinkle, for adoption. Proposal No. 465, 1992 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Borst, Short*

1 NOT PRESENT: *Rhodes*

Proposal No. 465, 1992 was retitled SPECIAL RESOLUTION NO. 70, 1992 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 1992

A SPECIAL RESOLUTION ratifying and authorizing approval of an amendment to an existing Interlocal Cooperation Agreement between the City of Indianapolis and the City of Beech Grove for treatment of Beech Grove sewage by Indianapolis.

WHEREAS, by City-County Special Resolution No. 19, 1979 (Proposal 202, 1979), the City-County Council of the City of Indianapolis and Marion County, Indiana approved and ratified an agreement between the City of Indianapolis and the City of Beech Grove for treatment of Beech Grove sewage by Indianapolis; and

WHEREAS, the City of Beech Grove wishes to amend the existing agreement to extend its service area as defined in such agreement to include 1) additional area within the corporate limits of the City of Beech Grove and 2) additional areas outside the corporate limits of the City of Beech Grove and inside the Indianapolis Sanitary District, which, because of its location and topography cannot be serviced by the City of Indianapolis; and

WHEREAS, the Board of Public Works, by Resolution No. 3012-1992 dated July 20, 1992 approved this amendment; and

WHEREAS, the amendment is in the best interest of the City; now, therefore:

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

SECTION 1. Amendment No. 2 to the Agreement Between the City of Indianapolis and the City of Beech Grove for Sewage Transportation and Treatment Services as attached hereto as Exhibit A is hereby ratified and approved.

SECTION 2. The Director of the Department of Public Works is authorized to execute said amendment on behalf of the City of Indianapolis, as authorized by the Board of Public Works by Resolution 3012-1992.

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

PROPOSAL NO. 466, 467, 468, 469, 470, 471, 472, 473, 475, 476, 477, 478, 479, 480, 481 and 482, 1992. The President ruled that the sixteen transportation proposals will be voted on together. PROPOSAL NO. 466, 1992. The proposal amends the Code by authorizing intersection controls in the Glen of Eagle Creek subdivision (District 1). PROPOSAL NO. 467, 1992. The proposal amends the Code by authorizing intersection controls in the subdivision Garden of Eagle Creek (District 1). PROPOSAL NO. 468, 1992. The proposal

amends the Code by authorizing intersection controls for Light House at Geist subdivision (District 5). PROPOSAL NO. 469, 1992. The proposal amends the Code by authorizing traffic signals at Fall Creek Road and Hague Road (Districts 4 and 5). PROPOSAL NO. 470, 1992. The proposal amends the Code by authorizing intersection controls at 72nd Street and Rural Street, 72nd Street and Tacoma Avenue, and 72nd Street and Temple Avenue (District 7). PROPOSAL NO. 471, 1992. The proposal amends the Code by authorizing a multi-way stop at Graham Avenue and 40th Street (District 14). PROPOSAL NO. 472, 1992. The proposal amends the Code by authorizing intersection controls at Melbourne Road and 58th Street (District 9). PROPOSAL NO. 473, 1992. The proposal amends the Code by authorizing intersection controls at Franklin Road and Southeastern Avenue (District 23). PROPOSAL NO. 475, 1992. The proposal amends the Code by authorizing one-way traffic on St. Clair Street from Centennial Street to Concord Street (District 16). PROPOSAL NO. 476, 1992. The proposal amending the Code by authorizing parking meters for the west side of Delaware Street from Ohio Street to the INB Tower entrance (District 16). PROPOSAL NO. 477, 1992. The proposal amends the Code by deleting parking restrictions on State Avenue from Washington Street to New York Street (District 22). PROPOSAL NO. 478, 1992. The proposal amends the Code by deleting intersection controls at Delaware and 32nd Street and authorizing parking restrictions on a segment of 32nd Street (District 22). PROPOSAL NO. 479, 1992. The proposal amends the Code by authorizing a 40 mph speed limit on Mills Road from Mann Road to High School Road (District 19). PROPOSAL NO. 480, 1992. The proposal amends the Code by authorizing weight limit restrictions on Market Street (District 16). PROPOSAL NO. 481, 1992. The proposal amends the Code by authorizing weight limit restrictions on Commerce Avenue from Massachusetts Avenue to 12th Street (District 22). PROPOSAL NO. 482, 1992. The proposal amends the Code by authorizing weight restrictions on 40th Street from Arlington Avenue to Emerson Avenue (District 14).

Councillor Gilmer reported that the Transportation Committee heard Proposal Nos. 466, 467, 468, 469, 470, 471, 472, 473, 475, 476, 477, 478, 479, 480, 481 and 482, 1992 on September 30, 1992. By a unanimous voice vote, the Committee reported Proposal 466, 467, 468, 470, 471, 472, 473, 475, 476, 477, 479, 480, 481 and 482, 1992 to the Council with the recommendation that they do pass. By a 5-1 vote, the Committee reported Proposal No. 469, 1992 to the Council with the recommendation that it do pass. By a 6-1 vote, the Committee reported Proposal No. 478, 1992 to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal Nos. 466, 467, 468, 469, 470, 471, 472, 473, 475, 476, 477, 478, 479, 480, 481 and 482, 1992 were adopted on the following roll call vote; viz:

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

*1 NAY: Black*

*1 NOT VOTING: Franklin*

*1 NOT PRESENT: Rhodes*

Proposal No. 466, 1992 was retitled GENERAL ORDINANCE NO. 96, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 96, 1992

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 2	Crown Vetch Pl, Foxglove Ln & Prairieclover Ln	Crown Vetch Pl & Foxglove Ln	Stop
9, Pg. 2	Foxglove Ln, Orchardgrass Ln	Foxglove Ln	Stop
9, Pg. 4	Orchardgrass Ln & Prairieclover Ln	Prairieclover Ln	Stop
9, Pg. 4	Pin Oak Way, Prairieclover Ln & Wisteria Dr	Pin Oak Way	Stop
9, Pg. 4	Pin Oak Way & 56th St	56th St	Stop
9, Pg. 4.	Prairieclover Ln & Red Yarrow Way	Prairieclover Ln	Stop

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

Proposal No. 467, 1992 was retitled GENERAL ORDINANCE NO. 97, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 1992

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 1	Amaryllis Ct, Buttercup Way & Marigold Ln	Amaryllis Ct & Marigold Ln	Stop
9, Pg. 1	Buttercup Way & Wisteria Dr	Wisteria Dr	Stop
9, Pg. 4	Peony Pl & Wisteria Dr	Wisteria Dr	Stop

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

Proposal No. 468, 1992 was retitled GENERAL ORDINANCE NO. 98, 1992 and reads as follows:

October 12, 1992

CITY-COUNTY GENERAL ORDINANCE NO. 98, 1992

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
7, Pg. 1	Beacon Ln, Blue Fin Dr. & Lighthouse Way	Lighthouse Way	Stop
7, Pg. 1	Beacon Ln & Mullet Ct.	Beacon Ln	Yield
7, Pg. 1	Dolphin Ln & Lighthouse Way	Lighthouse Way	Yield
7, Pg. 3	Lighthouse Way, Marlin Ct. & Tarpon Dr.	Lighthouse Way	Stop
7, Pg. 3	Lighthouse Way & Mollenkopf Rd.	Mollenkopf Rd.	Stop
7, Pg. 3	Lighthouse Way, Snapper Ct. & Stingray Dr.	Lighthouse Way	Stop

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

Proposal No. 469, 1992 was retitled GENERAL ORDINANCE NO. 99, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 99, 1992

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13, Pg. 3	Fall Creek Rd. & Hague Road.	Fall Creek Rd.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13, Pg. 3	Fall Creek Rd. & Hague Rd.	None	Signal

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

Proposal No. 470, 1992 was retitled GENERAL ORDINANCE NO. 100, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 100, 1992

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11 Pg. 12	Rural St. & 72nd St.	72nd St.	Stop
11 Pg. 13	Tacoma Av. & 72nd St.	72nd St.	Stop
11 Pg. 13	Temple Av. & 72nd St.	72nd St.	All Stop

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

Proposal No. 471, 1992 was retitled GENERAL ORDINANCE NO. 101, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 1992

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg.	Graham Av. & 40th St.	Graham Av.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
19, Pg.	Graham Av. & 40th St.		All Stop

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

Proposal No. 472, 1992 was retitled GENERAL ORDINANCE NO. 102, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 102, 1992

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

October 12, 1992

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10 Pg. 5	Melbourne Rd./ 58th St.	None	None

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10 Pg. 5	Melbourne Rd./ 58th St.	58th St.	Stop

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

Proposal No. 473, 1992 was retitled GENERAL ORDINANCE NO. 103, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 1992

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41, Pg. 1	Franklin Rd. & Southeastern Av.	Southeastern Av.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41, Pg. 1	Franklin Rd. & Southeastern Av.	None	Signal

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

Proposal No. 475, 1992 was retitled GENERAL ORDINANCE NO. 104, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 104, 1992

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

EASTBOUND

St. Clair Street from,  
Centennial Street to Concord Street

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

Proposal No. 476, 1992 was retitled GENERAL ORDINANCE NO. 105, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 105, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-270, Parking prohibited during specified hours on certain days, and Section 29-283, Parking meter zones designated.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS  
From 1:00 a.m. to 6:00 p.m.

Delaware Street, on the westside,  
from Ohio Street to Miami Street

SECTION 2. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the deletion of the following, to wit:

Two Hours

Delaware Street, on the westside,  
from Georgia Street to Ohio Street

Delaware Street, on the westside,  
from Miami Street to Michigan Street

SECTION 3. That the "Code of Indianapolis and Marion County, Indiana," specifically Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

Two Hours

Delaware Street, on the westside,  
from Georgia Street to Michigan Street

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

Proposal No. 477, 1992 was retitled GENERAL ORDINANCE NO. 106, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 106, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

October 12, 1992

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

From 6:00 a.m. to 9:00 a.m.

State Avenue, on the east side,  
from Pleasant Run Parkway North Drive to Michigan Street

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

State Avenue, on the east side,  
from Pleasant Run Parkway North Drive to Michigan Street

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

Proposal No. 478, 1992 was retitled GENERAL ORDINANCE NO. 107, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 107, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls, and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18. Pg.	Delaware St. & 32nd St.	32nd St. (WB)	Stop

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

From 7:00 a.m. to 9:00 a.m.

32nd Street, on the north side,  
from Delaware to Washington Boulevard

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

Proposal No. 479, 1992 was retitled GENERAL ORDINANCE NO. 108, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 108, 1992

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

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

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

Mills Road, from  
Mann Road to High School Road  
40 mph

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

Proposal No. 480, 1992 was retitled GENERAL ORDINANCE NO. 109, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 109, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

Market Street, from Miley Avenue to  
Indianapolis Union Railroad Tracks (1650 W)

Miley Avenue, from  
Washington Street to Ohio Street

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

Proposal No. 481, 1992 was retitled GENERAL ORDINANCE NO. 110, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 110, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Commerce Avenue from Massachusetts Avenue to 12th Street

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

Proposal No. 482, 1992 was retitled GENERAL ORDINANCE NO. 111, 1992 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 111, 1992

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Fortieth Street, from  
Arlington Avenue to Emerson Avenue

October 12, 1992

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

### ANNOUNCEMENTS AND ADJOURNMENT

The President informed the Council that the magazine *World Trade* named Indianapolis as one of the top ten cities in the country for international companies.

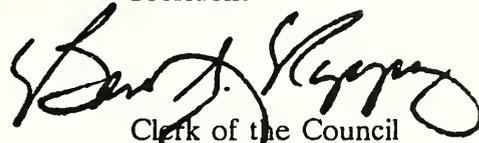
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:10 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 12th day of October, 1992.

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

  
President

ATTEST:

  
Clerk of the Council

(SEAL)