

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

**REGULAR MEETINGS
MONDAY, APRIL 11, 1994**

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 7:10 p.m. on Monday, April 11, 1994, with Councillor SerVaas presiding.

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

ROLL CALL

The President instructed the Clerk to take the roll call. The roll call was as follows:

[Clerk's Note: Voting equipment was not working. All votes were taken manually.]

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Curry introduced his wife Ann.

OFFICIAL COMMUNICATIONS

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

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

Journal of the City-County Council

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 11, 1994, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

March 25, 1993

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, March 31, 1994, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 139, 148, 150, 151, 152, 153, 154 and 191, 1994, to be held on Monday, April 11, 1994, at 7:00 p.m., in the City-County Building.

Respectfully,
s/Peggy Stawick
Assistant Clerk, City-County Council

March 23, 1994

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 Acting Clerk of the City-County Council, Robert G. Elrod, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 4, 1994 - appropriating \$652,500 for the Department of Administration, Administrative Services Division, to finance the Neighborhood Revitalization Initiative program funded by private foundation grants

FISCAL ORDINANCE NO. 5, 1994 - appropriating \$66,000 for Metropolitan Emergency Communications Agency to fund shortfall in its 1994 budget caused by conversion from City to County payroll and to cover increase in data circuit charges

FISCAL ORDINANCE NO. 6, 1994 - appropriating \$30,000 for Forensic Services Agency to cover supplies and equipment to train an Arab police examiner in DNA Fund last year

FISCAL ORDINANCE NO. 7, 1994 - transferring and appropriating \$2,073,000 for the Department of Public Safety, Police Division, to consolidate 1994 cumulative capital funds in Character 04 to purchase police patrol vehicles

GENERAL ORDINANCE NO. 37, 1994 - amending Chapter 8½ of the Code concerning cable television

GENERAL ORDINANCE NO. 38, 1994 - amending the Code by updating the county corrections fund

GENERAL ORDINANCE NO. 39, 1994 - amending the Code authorizing intersection controls for Windcombe subdivision (District 2)

GENERAL ORDINANCE NO. 40, 1994 - amending the Code by authorizing intersection controls for Quail Creek subdivision (District 24)

GENERAL ORDINANCE NO. 41, 1994 - amending the Code by authorizing intersection controls for Lakeside Woods subdivision (District 1)

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GENERAL ORDINANCE NO. 42, 1994 - amending the Code by authorizing intersection controls for Admirals Sound subdivision (District 5)

GENERAL ORDINANCE NO. 43, 1994 - amending the Code by authorizing intersection controls for the Brettonwood subdivision (Districts 1, 2)

GENERAL ORDINANCE NO. 44, 1994 - amending the Code by authorizing intersection controls for Ashworth subdivision (District 1)

GENERAL ORDINANCE NO. 45, 1994 - amending the Code by authorizing a multi-way stop at High School Road and 52nd Street (District 1)

GENERAL ORDINANCE NO. 46, 1994 - amending the Code by authorizing a traffic signal at Moller Way and Pike Plaza Road (District 9)

GENERAL ORDINANCE NO. 47, 1994 - amending the Code by authorizing a multi-way stop at Cumberland Road, Muessing Street, and 10th Street (Districts 12, 13)

GENERAL ORDINANCE NO. 48, 1994 - amending the Code by authorizing a loading zone on Indiana Avenue for Forest McGinnis Interiors, Inc. (District 16)

SPECIAL ORDINANCE NO. 3, 1994 - approving the issuance of City of Indianapolis, Indiana Tax-Exempt Adjustable Mode Economic Development Revenue Bonds (Herff Jones, Inc. Project) Series 1994 in an aggregate principal amount not to exceed \$4,100,000 (4500 West 62nd Street, District #9)

SPECIAL RESOLUTION NO. 15, 1994 - recognizing "Buffalo Soldier" John Morton-Finney

SPECIAL RESOLUTION NO. 16, 1994 - congratulating the Arsenal Technical High School Constitution team

SPECIAL RESOLUTION NO. 17, 1994 - recognizing Dorothea Green

SPECIAL RESOLUTION NO. 18, 1994 - recognizing Isaac Randolph, Jr.

SPECIAL RESOLUTION NO. 19, 1994 - recognizing the 75th anniversary of the American Legion

SPECIAL RESOLUTION NO. 20, 1994 - an inducement resolution for EPI Printers, Inc. in an amount not to exceed \$6,500,000 for the acquisition, construction and equipping of an approximately 33,500 square foot manufacturing facility to be used in EPI's printing business (7340 East 68th Street, District #4)

Respectfully,
s/Stephen Goldsmith
Mayor, City of Indianapolis

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections to the Journal of March 21, 1994. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 224, 1994. This proposal, sponsored by Councillors Ruhmkorff and O'Dell, recognizes mathematics-talented student Melanie Wood. Councillor Ruhmkorff read the resolution and presented a copy of the document to Ms. Wood, who expressed appreciation for the recognition. Also present were family members Sherry and Jody Eggers; and from Stonybrook Junior High School Jack Washburn, principal, and Nancy Stauffer and Barbara Moser, teachers. Councillor Ruhmkorff moved, seconded by Councillor O'Dell, for adoption. Proposal No. 224, 1994 was adopted by unanimous voice vote.

Proposal No. 224, 1994 was retitled SPECIAL RESOLUTION NO. 21, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1994

A SPECIAL RESOLUTION recognizing mathematics-talented student Melanie Wood.

WHEREAS, each year the National Society of Professional Engineers and the National Council of Teachers of Mathematics sponsor their MathCounts contest at Rose-Hulman Institute of Technology to promote mathematics; and

WHEREAS, Indiana's 1994 winner was Melanie Wood of Stonybrook Junior High School in Warren Township Schools, who in May will represent the state of Indiana for a \$10,000 scholarship prize at the national competition in Washington, D.C.; and

WHEREAS, in late January, 1994, Melanie Wood took the national SAT test as part of the Midwest Talent Search contest, and missed only one question for a 770 score in the math section; and

WHEREAS, beyond a special gift for math, the well-rounded young lady is also involved with music, the computer club and the academic club at Stonybrook Junior High; 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 talented twelve-year-old Melanie Wood of Stonybrook Junior High in Warren Township.

SECTION 2. In this day and age of so much criticism of our young people and of our schools, it is refreshing to learn about talented and purposeful youth like Melanie Wood, and many others like her who can be expected to become solid and productive citizens in the years and decades to come.

SECTION 3. The Council and Warren Township are proud of Melanie and wish her well in the years ahead.

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. 225, 1994. This proposal, sponsored by Councillor Golc, recognizes Cathedral Coach Joseph F. Dezelan. Councillor Golc read the resolution and presented a copy of the document to Coach Dezelan, who expressed appreciation for the recognition. Also present were Mr. Dezelan's family. Councillor Golc moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 225, 1994 was adopted by unanimous voice vote.

Proposal No. 225, 1994 was retitled SPECIAL RESOLUTION NO. 22, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1994

A SPECIAL RESOLUTION recognizing Cathedral Coach Joseph F. Dezelan.

WHEREAS, Indianapolis Cathedral High School, Fighting Irish, football and Coach Joseph F. Dezelan are all synonymous terms; and

WHEREAS, Coach Dezelan was Cathedral's head football coach from 1944 to 1970, athletic director from 1971 to 1980 and interim athletic director in 1986--which just happened to be a year in which Cathedral won the State Football Championship; and

WHEREAS, Coach Dezelan's career record is 182 wins, 61 losses and 8 tie games, and in all of those years of coaching he only had three losing seasons, two of which were in the 1940's; and

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WHEREAS, Coach Dezelan will be honored for his 50 years of dedicated service to Cathedral High School at a Testimonial Dinner on April 16, 1994; 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 Cathedral Coach Joseph F. Dezelan for his 50 years of dedicated work for the school, and for the thousands of young athletes who were trained and motivated by this outstanding coach.

SECTION 2. Coach Dezelan's Faith, Family and Football winning attitudes will live on well into the 21st Century in the hearts and minds of the young people whom he inspired during his first half century at Cathedral High School.

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

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

PROPOSAL NO. 226, 1994. This proposal, sponsored by Councillor Coughenour, recognizes the award-winning Belmont AWT engineering project. Councillor Coughenour read the resolution and presented a copy of the document to Larry Maddux, Department of Public Works (DPW), Contract Compliance Officer, who expressed appreciation for the recognition. Also present from DPW were Pat Taylor, Kurt Solomon and Carel Adriaans. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 226, 1994 was adopted by unanimous voice vote.

Proposal No. 226, 1994 was retitled SPECIAL RESOLUTION NO. 23, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1994

A SPECIAL RESOLUTION recognizing the award-winning Belmont AWT engineering project.

WHEREAS, on February 19, 1994, Consulting Engineers of Indiana, Inc., a professional association of engineers, awarded the Indianapolis Department of Public Works the association's annual Merit Award; and

WHEREAS, because the cryogenic air compressors at the Belmont Advanced Wastewater Treatment Plant were corroding almost as fast as they could be repaired, the Department of Public Works employees went to work to design a retrofit for the cooling system; and

WHEREAS, with the city DPW employees, WW Engineering & Science, Inc. as design engineers and Bowen Engineering Corp. as the general contractor, the coolers are redesigned, their performance and efficiency are improved and the city's citizens save \$75,000 a year in reduced maintenance; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the following for their initiative and skill in redesigning the Belmont AWT cryogenic air compressors cooling system:

DPW, Facility Engineering: Pete Chavol and Carel Adriaans
DPW, Construction Management: Patrick Taylor and Jeff Patterson
AWT, Administrative Staff
AWT, Operations and Maintenance Staff
Design Engineers: WW Engineering & Science, Inc.
General Contractor: Bowen Engineering Corp.

SECTION 2. The Council applauds this fine example of teamwork and achievement.

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. 227, 1994. This proposal, sponsored by Councillor Curry, recognizes the Indy Miata Chapter of the Miata Club of America. Councillor Curry read the resolution and presented a copy of the document to Rich Hickle, founder, Indy Miata, who expressed appreciation for the recognition. Also present were representatives from the Indy Miata Chapter: Chip Helmick, Mike Fetsch, Barbara and Earl Salisbury. Councillor Curry moved, seconded by Councillor Dowden, for adoption. Proposal No. 227, 1994 was adopted by unanimous voice vote.

Proposal No. 227, 1994 was retitled SPECIAL RESOLUTION NO. 24, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1994

A SPECIAL RESOLUTION recognizing the Indy Miata Chapter of the Miata Club of America.

WHEREAS, 1994 is the fifth year of production for Mazda's Miata two seat roadsters and the fifth year of the Miata Club of America; and

WHEREAS, this is also the second time that the Indy Miata local chapter will host the national convention of Miata owners and enthusiasts; and

WHEREAS, over 250 Mazda Miatas will converge upon Indianapolis June 9-12 for activities including driving competition, a tour of the "Indianapolis 500" race track, and a caravan from the Adam's Mark Hotel to the "500" track which will attempt to establish a world record in the Guinness Book of Records for being the longest car caravan of one automobile type; and

WHEREAS, a maximum limit of 250 are expected to attend the convention from all across the United States and Canada; and sightseeing, fellowship, bragging, picture taking and making new friends will all be very much in evidence during the event; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the Miata Club of America and the members of its local chapter, Indy Miata.

SECTION 2. The Council wishes the event well on June 12th as the members attempt their drive for world recognition with their Miata caravan.

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.

Councillor Rhodes asked for consent to hear Proposal No. 191, 1994 at this time. Consent was given.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 191, 1994. The proposal is a rezoning ordinance for Washington Township, Councilmanic District 7, 6219 Guilford Avenue (approximate address). Proposal No. 191, 1994 was certified by the Metropolitan Development Commission on March 18, 1994. On March 21, 1994 the Council voted to schedule a public hearing for April 11, 1994. Councillor Rhodes made the following announcement and motion:

April 11, 1994

Mr. President:

I am pleased to report that the parties involved in the rezoning at 6219 Guilford Avenue have reached a compromise and it will not be necessary to have a hearing on this matter; therefore, I move that Proposal No. 191, 1994 (Rezoning Petition No. 94-Z-30) be adopted incorporating therein the additional commitments dated April 11, 1994.

This motion was seconded by Councillor Giffin, and passed by unanimous voice vote.

Councillor Rhodes thanked the attorneys involved in this petition for rezoning.

Proposal No. 191, 1994 was retitled REZONING ORDINANCE NO. 38, 1994 and is identified as follows:

REZONING NO. 38, 1994. 94-Z-30 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 7.
6219 GUILFORD AVENUE (approximate address), INDIANAPOLIS.
INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY, by Daniel B. Altman, requests the rezoning of 0.29 acre, being in the D-5 District, to the C-S classification to provide for permitted C-3C District uses (except for eating place or any type of restaurant).

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

The President stated that the following Mayor appointment and board appointment proposals would be voted on together unless there is one that needs to be withdrawn for discussion. Councillor Dowden asked that Proposal No. 179, 1994 be withdrawn and voted on separately.

PROPOSAL NOS. 141, 146, 147, 155, 158, 159, 163 and 178, 1994. The President stated that these board appointments were heard by various committees. The Committees have recommended to the full Council that the proposals be adopted. PROPOSAL NO. 141, 1994. The proposal approves the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development. PROPOSAL NO. 146, 1994. The proposal approves the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety. PROPOSAL NO. 147, 1994. The proposal reappoints David W. Hamilton to the Marion County Public Defender Board. PROPOSAL NO. 155, 1994. The proposal approves the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works. PROPOSAL NO. 158, 1994. The proposal approves the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration. PROPOSAL NO. 159, 1994. The proposal approves the Mayor's appointment of Nancy Silvers as Deputy Mayor. PROPOSAL NO. 163, 1994. The proposal approves the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management. PROPOSAL NO. 178, 1994. The proposal appoints Charlotte MacBeth to the Juvenile Detention Center Advisory Board. PROPOSAL NOS. 141, 146, 147, 155, 158, 159, 163 and 178, 1994 were adopted by unanimous voice vote.

Proposal No. 141, 1994 was retitled COUNCIL RESOLUTION NO. 53, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 53, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Daniel T. Kozlowski as Director of the Department of Metropolitan Development for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 231-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of the Director of the Department of Metropolitan Development is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Daniel T. Kozlowski to serve as Director of the Department of Metropolitan Development at his pleasure for a term ending December 31, 1994; now, therefore:

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

SECTION 1. Daniel T. Kozlowski is approved and confirmed by the City-County Council to serve as Director of the Department of Metropolitan Development at the pleasure of the Mayor for a term ending December 31, 1994.

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

Proposal No. 146, 1994 was retitled COUNCIL RESOLUTION NO. 54, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Michael E. Beaver as Director of the Department of Public Safety for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 3-301 of the "Code of Indianapolis and Marion County, Indiana," a mayoral appointment of the Director of the Department of Public Safety is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Michael E. Beaver to serve as Director of the Department of Public Safety at his pleasure for a term ending December 31, 1994; now, therefore:

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

SECTION 1. Michael E. Beaver is approved and confirmed by the City-County Council to serve as Director of the Department of Public Safety at the pleasure of the Mayor for a term ending December 31, 1994.

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

Proposal No. 147, 1994 was retitled COUNCIL RESOLUTION NO. 55, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 1994

A COUNCIL RESOLUTION reappointing David W. Hamilton to the Marion County Public Defender 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 Marion County Public Defender Board, the Council appoints:

David W. Hamilton

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

April 11, 1994

Proposal No. 155, 1994 was retitled COUNCIL RESOLUTION NO. 56, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Michael B. Stayton as Director of the Department of Public Works for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 261-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of the Director of the Department of Public Works is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Michael B. Stayton to serve as Director of the Department of Public Works at his pleasure for a term ending December 31, 1994; now, therefore:

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

SECTION 1. Michael B. Stayton is approved and confirmed by the City-County Council to serve as Director of the Department of Public Works at the pleasure of the Mayor for a term ending December 31, 1994.

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

Proposal No. 158, 1994 was retitled COUNCIL RESOLUTION NO. 57, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Joseph E. Loftus as Deputy Mayor and Director of the Department of Administration for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Secs. 201-4 and 222-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of a Deputy Mayor and of the Director of the Department of Administration is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Joseph E. Loftus to serve as a Deputy Mayor and Director of the Department of Administration at his pleasure for a term ending December 31, 1994; now, therefore:

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

SECTION 1. Joseph E. Loftus is approved and confirmed by the City-County Council as a Deputy Mayor, and ex officio Director of the Department of Administration at the pleasure of the Mayor for a term ending December 31, 1994.

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

Proposal No. 159, 1994 was retitled COUNCIL RESOLUTION NO. 58, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 58, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Nancy Silvers as Deputy Mayor for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised Code of the Consolidated City and County, Indiana," mayoral appointments of Deputy Mayors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Nancy Silvers to serve as a Deputy Mayor at his pleasure for a term ending December 31, 1994; now, therefore:

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

SECTION 1. Nancy Silvers is approved and confirmed by the City-County Council to serve as a Deputy Mayor at the pleasure of the Mayor for a term ending December 31, 1994.

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

Proposal No. 163, 1994 was retitled COUNCIL RESOLUTION NO. 59, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 1994

A COUNCIL RESOLUTION approving the Mayor's appointment of Greg L. Henneke as Director of the Department of Capital Asset Management for a term ending December 31, 1994.

WHEREAS, pursuant to IC 36-3-5-2 and Sec. 271-11 of the "Revised Code of the Consolidated City and County, Indiana," a mayoral appointment of the Director of the Department of Capital Asset Management is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Greg L. Henneke to serve as Director of the Department of Capital Asset Management at his pleasure for a term ending December 31, 1994; now, therefore:

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

SECTION 1. Greg L. Henneke is approved and confirmed by the City-County Council to serve as Director of the Department of Capital Asset Management at the pleasure of the Mayor for a term ending December 31, 1994.

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

Proposal No. 178, 1994 was retitled COUNCIL RESOLUTION NO. 60, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 1994

A COUNCIL RESOLUTION appointing Charlotte MacBeth to the Juvenile Detention Center Advisory Board.

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

SECTION 1. As a member of the Juvenile Detention Center Advisory Board, the Council appoints:

Charlotte MacBeth

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1996. The person appointed by this resolution shall serve at the pleasure of the Council and until her respective successor is appointed and has qualified.

PROPOSAL NO. 179, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 179, 1994 on March 23, 1994. The proposal appoints Ann Curry to the Animal Control Board. Councillor Dowden said that Mrs. Curry, wife of Councillor Carlton Curry, could not attend the March 23rd meeting, but that the

April 11, 1994

Committee approved her appointment without taking any testimony from her. The Animal Control Board is an advisory body that makes no fiscal decisions. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Gilmer, for adoption.

Councillors Jimison and Giffin voiced their support for Ann Curry's appointment.

The President asked Mrs. Curry for a statement. Mrs. Curry said that she feels that the citizens of Marion County should not be subjected to someone else's pet and will work for responsible pet ownership.

Proposal No. 179, 1994 was adopted by a unanimous voice vote.

Councillor Williams stated that she hopes that all committees will follow proper procedure and take testimony from appointees, especially first-time appointees.

Proposal No. 179, 1994 was retitled COUNCIL RESOLUTION NO. 52, 1994 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 1994

A COUNCIL RESOLUTION appointing Ann Curry to the Animal Control 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 Animal Control Board, the Council appoints:

Ann Curry

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 her respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 193, 1994. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning payment of accrued compensatory time"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 194, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE repealing the Central Business District, Special Development District Ordinance and amending the Central Business District Zoning Ordinance by adding the language of the repealed ordinance"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 195, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE combining the Airport Special Use Zoning Ordinance and the Airspace District Zoning Ordinance to create the Airport Zoning Ordinance"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 196, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE combining the Park Districts Zoning Ordinance, the Hospital Districts Zoning Ordinance, and the University Quarter Zoning Ordinance to create the Special Districts Zoning Ordinance"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 197, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Special Use Districts Zoning Ordinance by repealing twenty unused or redundant Special Use Districts and providing development standard guidelines for administrative approval for the remaining districts"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 198, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE repealing the Regional Center-Market Square Development District (RC-M) Ordinance and rezoning land within the former RC-M District to the Central Business Districts-1 and -2 (CBD-1 and CBD-2) classifications"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 199, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the disbursement of \$60,000 of the Community Development Block Grant funds"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 200, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,850,509 for the Marion County Office of Family and Children to pay the expenses of wards in institutions"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 201, 1994. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$190,000 for the Department of Parks and Recreation, Natural Resources Division, to cover the charges to repair roofs on thirteen buildings at several park locations"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 202, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$400 for the Superior Court, Title IV-D Court, to purchase an IRMA Board to install in a personal computer in the office"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 203, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Wastewater Management Division, in the amount of \$1,092,579"; and the President referred it to the Public Works and Capital Asset Management Committees.

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PROPOSAL NO. 204, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$109,541 for the Department of Public Works (DPW), Wastewater Management Division, to cover certain administrative staff positions, supplies and contractual services from DPW, Maintenance Operations Division"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 205, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$192,932 for the Department of Public Works, Maintenance Operations Division, to cover sewer maintenance supplies budgeted in 1993 but not utilized due to year-end closing"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 206, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$53,792 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during the 1994 budget hearing process"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 207, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,000 for the Department of Public Works, Maintenance Operations Division, to restore a portion of Maintenance Operations General Fund not transferred to Opportunity Fund during 1994 budget hearing process"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 208, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$79,950 for the Department of Public Works, Maintenance Operations Division, to reflect funds not transferred to the Opportunity Fund during 1994 budget hearing process"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 209, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$40,000 for the Department of Public Works, Environmental Resources Management Division, to pay its portion of administrative overhead"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 210, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$92,075 for the Department of Public Works, Environmental Resources Management Division, to provide for additional contractual support for environmental sampling and effluent monitoring"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 211, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$4,277,471 for the Department of Public Works, Wastewater Management Division, and reducing appropriations by \$14,443,571 for that division to reflect in its budget the White

River Environmental Partnership contract management of the Advanced Wastewater Treatment plants"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 212, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,555,000"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 213, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures since the adoption of the 1994 City-County Annual Budget for the Department of Public Works, Solid Waste Management Division, in the amount of \$1,136,055"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 214, 1994. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning environmental public nuisances"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 215, 1994. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,587,374 for the Department of Public Safety, Police Division, to complete its capital projects"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 216, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$200,000 for the Department of Capital Asset Management, Asset Management Division, to provide for greater contractual sewer maintenance"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 217, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$7,000,000 for the Department of Capital Asset Management, Asset Management Division, to provide for capital improvements to Advanced Wastewater Treatment plants and for sewer and drainage improvements to support the Capital Improvement Program"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 218, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,092,579 for the Department of Capital Asset Management, Asset Management Division, to reflect in its budget the Sewer Wastewater Management Facilities Engineering operating budget and \$250,000 for emergency sewer repair"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 219, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed

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expenditures from the Flood Control General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$1,000"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 220, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures from the Transportation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$53,792"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 221, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE approving reductions in proposed expenditures from the Sanitation General Fund for the Department of Capital Asset Management, Asset Management Division, in the amount of \$79,950"; and the President referred it to the Public Works and Capital Asset Management Committees.

PROPOSAL NO. 222, 1994. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,555,000 for the Department of Capital Asset Management, Asset Management Division, to establish a lagoon cleaning project"; and the President referred it to the Public Works and Capital Asset Management Committees.

[Clerk's Note: Proposal No. 223, 1994 was withdrawn.]

PROPOSAL NO. 228, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Glenda Smith to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 229, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Robert A. Stewart to the Metropolitan Board of Zoning Appeals Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 230, 1994. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Lacy M. Johnson to the Juvenile Detention Center Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 231, 1994. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 7, 1994." The Council did not schedule Proposal No. 231, 1994 for hearing pursuant to IC 36-7-4-608. Proposal No. 231, 1994 was retitled REZONING ORDINANCE NO. 39, 1994 and is identified as follows:

REZONING ORDINANCE NO. 39, 1994. 94-Z-15 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 22.

302 EAST FALL CREEK PARKWAY NORTH DRIVE, 2801-2833 WASHINGTON BOULEVARD, 2802-2810 NORTH NEW JERSEY STREET AND 318-408 EAST 28TH STREET (approximate address), INDIANAPOLIS.

STANDARD LIFE INSURANCE COMPANY OF INDIANA, by James W. Beatty, requests the rezoning of 2.58 acres, being in the D-7 and D-5 Districts, to the C-I classification to provide for office use and associated surface parking facilities, including Center Township governmental units.

PROPOSAL NOS. 232-235, 1994. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 7, 1994." The Council did not schedule Proposal Nos. 232-235, 1994 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 232-235, 1994 were retitled REZONING ORDINANCE NOS. 40-43, 1994 and are identified as follows:

REZONING ORDINANCE NO. 40, 1994. 94-Z-32 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 17.

1702 WEST MILLER STREET (approximate address), INDIANAPOLIS.

INDIANAPOLIS BOARD OF SCHOOL COMMISSIONERS requests the rezoning of 1.1 acres, being in the D-5 District, to the SU-2 classification to provide for the construction of a new school.

REZONING ORDINANCE NO. 41, 1994. 94-Z-33 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.

1002 WEST 25TH STREET (approximate address), INDIANAPOLIS.

INDIANAPOLIS BOARD OF SCHOOL COMMISSIONERS requests the rezoning of 1.4 acres, being in the C-I and D-5 Districts, to the SU-2 classification to provide for the construction of a new school.

REZONING ORDINANCE NO. 42, 1994. 94-Z-36 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

5127, 5129 and 5133 ELENOR STREET (approximate address), INDIANAPOLIS.

DONALD E. and JANET S. SHAFFER request the rezoning of 1.29 acres, being in the D-4 District, to the C-4 classification to provide for retail use.

REZONING ORDINANCE NO. 43, 1994. 94-Z-38 (Amended) WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT # 19.

7101 WEST MORRIS STREET (approximate address), INDIANAPOLIS.

PRECISION PARTNERS, LTD. requests the rezoning of 2.07 acres, being in the C-3 and I-3-S Districts, to the I-3-S classification to provide for an assembly, sales and service facility for pneumatic and electric control systems, energy management systems and heating and air conditioning services.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 192, 1994. Councillor Schneider reported that the Municipal Corporations Committee heard Proposal No. 192, 1994 on April 7, 1994. The proposal, sponsored by Councillor Shambaugh, affirms Council support for the Capital Improvements Board (CIB) to proceed with a new downtown baseball stadium. The CIB and the Indianapolis Indians have entered into an agreement to relocate the team at a downtown location. Councillor Schneider stated the Committee was concerned that the construction cost of the new stadium would stay within the projected \$18 million. The CIB assured the Committee that the new baseball stadium could be built for that amount. Councillor Schneider said that it is important to note that the CIB can proceed with this project with or without the Council's approval. The White River Park Commission has issued its support to construct the new baseball stadium in White River State Park. He noted that there will be no new taxes initiated to pay for this stadium. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Schneider moved, seconded by Councillor Shambaugh, for adoption.

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Councillor Curry moved that City-County Council Proposal No. 192, 1994 be amended by renumbering Sections 4 and 5 as Sections 5 and 6 respectively and inserting a new Section 4 to read as follows:

SECTION 4. The Capital Improvement Board is requested to obtain security to protect the investment of public monies. This security should include:

- (a) a lien on substantially all of the assets of the Indianapolis Indians, Inc., including the franchise to the extent allowed by professional baseball and state law.
- (b) a commitment not to move the team from Indianapolis during the life of the bond.
- (c) a definition of the parameters that would be necessary should the franchise have to be sold during the life of the bond.
- (d) a promise by the association to not unreasonably withhold approval of a sale should the lien upon the franchise be exercised.

Councillor Boyd seconded the motion.

Councillor Curry said that this amendment will protect and recover the public moneys used for this project to the fullest extent possible.

Councillor Golc stated that at the Municipal Corporations Committee meeting he asked for two commitments from CIB: (1) a feasibility study be done to look at the options for the future use of Bush Stadium and the impact those options will have on the neighborhood, and (2) a quarterly report be issued to the Council on the construction and finances of the new stadium. He said that he has since received those two commitments.

Councillor Giffin voiced his support for Councillor Curry's amendment because it will make the proposal more fiscally responsible.

Councillor Curry's motion passed by unanimous voice vote.

Councillor Borst stated that he understood that CIB would fund \$9 million and the Indians would fund \$9 million. In CIB's document "Baseball Ballpark Sources of Funds" that does not seem to be correct. Pat Early, President, CIB, stated that CIB will issue \$13 million in revenue bonds and the balance of the construction money will consist of a \$5 million loan from the agency's reserve fund. In 1995 the Indians will contribute \$4 million, which will be used to repay a portion of the CIB's loan. The balance of the Indians' contribution will come in the form of \$500,000 annual lease payments, which will repay \$5 million in principal over the 20-year life of the bonds. The CIB's portion of debt repayment will come from non-tax money such as advertising revenues in the sports arenas and the elimination of \$175,000 in annual lease payments by relocating the Hoosier Dome VIP parking lot.

Councillor Williams voiced her concern about ticket prices. Mr. Early stated that ticket prices have not increased in cities which have recently built new baseball stadiums. When the Indians prepared their pro forma they used an average ticket price of \$4.

Councillor Franklin said that most of the people he has talked to cannot discern the difference between public funds and tax dollars and they would rather see the people who use the facility pay for the facility.

Councillor Moriarty asked Mr. Early if there are any plans for Bush Stadium. Mr. Early replied that the Parks Department owns the stadium, it is not a CIB property, but the City and CIB will work together on this matter.

Councillor Gray voiced his support for the new stadium but expressed his desire for a commitment from the Indians for management jobs for minorities.

Councillors Short, Beadling and Boyd expressed their support for the new stadium.

Councillor Black said that during the committee hearing on this proposal he suggested that the Indianapolis Indians add minorities to its board of directors.

Councillor Shambaugh urged all the Councillors to support this proposal.

Proposal No. 192, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams
2 NAYS: Brents, Moriarty Adams
2 NOT PRESENT: McClamroch, Smith

The President said that he would like either the Indiana University-Purdue University at Indianapolis, which promotes amateur sports among its students, to develop some use for Bush Stadium or perhaps the private sector might develop plans that would benefit the City and the neighborhood.

Proposal No. 192, 1994, as amended, was retitled SPECIAL RESOLUTION NO. 25, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1994

A SPECIAL RESOLUTION affirming Council support for the Capital Improvements Board to proceed with a new downtown baseball stadium.

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 accepts notice that the Capital Improvements Board wishes to proceed with issuing bonds to finance a new baseball stadium in close proximity to the Indiana Convention Center and Hoosier Dome.

SECTION 2. The Council recommends that the Capital Improvements Board proceed forward with a new stadium at a downtown locale.

SECTION 3. The Council recommends the concept of the Capital Improvements Board borrowing approximately Five Million Dollars (\$5,000,000) from its reserves saved from construction of the latest expansion of the Indiana Convention Center and Hoosier Dome, and issuing approximately Thirteen Million Dollars (\$13,000,000) in bonds secured by the Indianapolis Indians, Inc. for the balance of the project.

SECTION 4. The Capital Improvement Board is requested to obtain security to protect the investment of public monies. This security should include:

- (a) a lien on substantially all of the assets of the Indianapolis Indians, Inc., including the franchise to the extent allowed by professional baseball and state law.

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- (b) a commitment not to move the team from Indianapolis during the life of the bond.
- (c) a definition of the parameters that would be necessary should the franchise have to be sold during the life of the bond.
- (d) a promise by the association to not unreasonably withhold approval of a sale should the lien upon the franchise be exercised.

SECTION 5. All financial obligations must be repaid by the Capital Improvements Board from non-tax revenues of which a significant portion must be paid by the Indianapolis Indians, Inc.

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

PROPOSAL NO. 143, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 143, 1994 on March 22, 1994. The proposal, sponsored by Councillor Coughenour, approves transfer of certain territory located at 4000 9th Avenue from the Consolidated City of Indianapolis to the City of Beech Grove. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Coughenour, for adoption. Proposal No. 143, 1994 was adopted on the following roll call vote; viz:

23 YEAS: Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West

0 NAYS:

4 NOT VOTING: Black, Jones, Schneider, Williams

2 NOT PRESENT: McClamroch, Smith

Proposal No. 143, 1994 was retitled GENERAL ORDINANCE NO. 49, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1994

A GENERAL ORDINANCE approving transfer of certain territory from the Consolidated City of Indianapolis to the City of Beech Grove.

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

SECTION 1. The owners of the real estate described in Section 2 of the ordinance having petitioned the City of Indianapolis to disannex such territory and having petitioned the City of Beech Grove to annex such territory, the transfer of such territory from the Consolidated City of Indianapolis to the City of Beech Grove is hereby approved, effective upon the City of Beech Grove approving such transfer.

SECTION 2. Sec. 111-1 of the "Revised Code of the Consolidated City" be and is hereby amended to reflect the change in boundaries of the Consolidated City by adding a new paragraph (6) reading as follows:

"(6) Disannexation to City of Beech Grove. The following territory is transferred to the City of Beech Grove:

Part of the Northwest Quarter of Section 33, Township 15 North, Range 4 East in Marion County, Indian, more particularly described as follows:

Beginning at a point on the South line of the said Quarter Section, South 88 degrees 13 minutes 57 seconds West 1100.45 feet from the Southeast corner thereof, which Southeast corner bears South 00 degrees 08 minutes 06 seconds East from the Northeast corner of the said Quarter Section; thence continuing South 88 degrees 13 minutes 57 seconds West along the South line of the said Quarter Section 233.51 feet to the Southeast corner of the Southwest Quarter of the said Northwest Quarter Section, said corner lies North 88 degrees 13 minutes 57 seconds East 1333.96 feet from the Southwest

corner of the said Northwest Quarter Section; thence North 00 degrees 10 minutes 09 seconds West along the East line of the said Southwest Quarter of the said Northwest Quarter Section 790.65 feet to a point on the southerly right-of-way line of I-465 (as located April 1978) per right-of-way grant to the State of Indiana recorded August 11, 1969, in Volume 1876, page 67 and re-recorded April 26, 1983, in Volume 1990, page 486 in the Office of the Recorder of Marion County, Indiana; thence South 87 degrees 44 minutes 10 seconds East along said right-of-way line 234.10 feet; thence South 00 degrees 08 minutes 06 seconds East parallel to the East line of said Northwest Quarter Section 774.20 feet to the place of beginning, containing 4.196 acres, more or less. Subject to all legal highways, rights-of-way, easements, and restrictions of record.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14 and approval by the City of Beech Grove of the annexation of the territory.

SECTION 4. The clerk shall file a copy of the ordinance, upon adoption, with the designated official of the State Board of Tax Commissioners and with the Clerk of the Circuit Court of Marion County.

PROPOSAL NO. 160, 1994. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 160, 1994 on April 5, 1994. The proposal, sponsored by Councillors Short, Dowden and Beadling, amends the Code concerning smoking restrictions in local governmental buildings. This amendment would allow firefighters to smoke in the bay areas of firestations. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Short, for adoption.

Councillor Ruhmkorff moved that City-County Council Proposal No. 160, 1994 be amended by adding a new clause (6) in subsection (a) of Sec. 416-601 to read as follows:

- (6) The garage, loading dock and north lobby of the City-County Building, until such time as the Board of Directors of the Indianapolis Marion County Building Authority has established and designated other areas or rooms in the City-County Building as "smoking permitted areas."

This motion was seconded by Councillor Rhodes.

Councillor Coughenour stated that she can see the rationale in granting smoking areas in the fire stations because firefighters have to spend twenty-four hours a day there, but she opposes granting "smoking permitted areas" in the City-County Building.

Councillor Short stated that he is a sponsor of Proposal No. 160, 1994 and he does not view Councillor Ruhmkorff's motion as a friendly amendment. He believes that Councillor Ruhmkorff's motion should be a separate proposal.

Councillor West voiced his opposition to Councillor Ruhmkorff's motion.

Councillor Rhodes stated that he believes the City-County Building should have a ventilated area for smokers.

Councillor Ruhmkorff's motion failed by the following roll call vote; viz:

9 YEAS: Black, Brents, Dowden, Franklin, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider

18 NAYS: Beadling, Borst, Boyd, Coughenour, Curry, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, SerVaas, Shambaugh, Short, West, Williams

2 NOT PRESENT: McClamroch, Smith

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Proposal No. 160, 1994, as amended, was adopted on the following roll call vote; viz:

21 YEAS: *Beadling, Borst, Boyd, Brents, Curry, Dowden, Franklin, Giffin, Gilmer, Gray, Hinkle, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short*

6 NAYS: *Black, Coughenour, Golc, Jimison, West, Williams*

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 160, 1994, as amended, was retitled GENERAL ORDINANCE NO. 50, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1994

A GENERAL ORDINANCE amending the Code concerning smoking restrictions in local governmental buildings.

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

SECTION 1. The Revised Code of the Consolidated City and County be amended (by codifying and revising Article VIII of Chapter 20 of the Code of Indianapolis and Marion County, Indiana, by inserting the underlined language) to read as follows:

CHAPTER 416. PUBLIC BUILDINGS
ARTICLE VI. SMOKING

Sec. ~~20-201~~ 416-601. Policy to prohibit tobacco smoking.

To reduce the annoyance and health risks to nonsmokers from exposure to tobacco smoke, smoking (as herein defined) is prohibited in certain local government buildings as provided in this article.

Sec. ~~20-202~~ 416-602. Definitions.

As used in this article, the following terms shall mean:

(a) *Local government building* shall mean any enclosed structure, or room therein, which is owned, leased or controlled by the City of Indianapolis or Marion County or any of their departments or agencies, including courts, and which is used or occupied for governmental purposes; provided, however, the following shall not be considered a local government building for purposes of this article:

- (1) Buildings owned or controlled by township trustees, the Marion County Healthcare Center, or independent municipal corporations having jurisdiction in Marion County.
- (2) Residential dwelling units occupied as private residences under agreements with the city or county, including public housing units.
- (3) Those portions of the county jail or other buildings used primarily as the living areas of inmates or other detainees.
- (4) Any buildings of the city or county occupied entirely by private businesses.
- (5) The bay area of a fire station that has living quarters.

(b) *Smoking* means the use of lighted tobacco in the form of a cigarette, cigar or similar item or in a pipe or similar smoking equipment, by inhaling and exhaling the smoke of the tobacco, and included the holding or carrying of such items when burning.

Sec. ~~20-207~~ 416-603. Penalties for violation.

Any person smoking in a local government building who continues smoking after being asked to stop smoking shall be subject to penalties for violations of city ordinances.

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

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 26, 1994. The proposal, sponsored by Councillor Franklin, appropriates \$8,413 for the Superior Court, Criminal Division, Room Five, to fund an additional clerk's position. Councillor Dowden asked for consent to postpone Proposal No. 26, 1994 until April 25, 1994. Consent was given.

PROPOSAL NO. 139, 1994. The proposal, sponsored by Councillor Ruhmkorff, appropriates \$173,257 for the County Recorder to purchase additional terminals and upgrade computer system. Councillor West asked for consent to postpone Proposal No. 139, 1994 until April 25, 1994. Consent was given.

PROPOSAL NO. 148, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 148, 1994 on March 23, 1994. The proposal, sponsored by Councillor Moriarty Adams, appropriates \$15,444 for the Presiding Judge of the Municipal Court to replace equipment taken through creation of the new Public Defender Agency. By a 9-0 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 9:45 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 148, 1994, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 148, 1994, as amended, was retitled FISCAL ORDINANCE NO. 8, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Fifteen Thousand Four Hundred Forty-four Dollars (\$15,444) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing certain other appropriations of the County Auditor.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (dd) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Presiding Judge of the Municipal Court to replace equipment taken through creation of the new Public Defender Agency. Original equipment purchased through a grant for the public defenders for which the Municipal Probation Department provided the hard match.

SECTION 2. The sum of Fifteen Thousand Four Hundred Forty-four Dollars (\$15,444) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

April 11, 1994

PRESIDING JUDGE OF THE MUNICIPAL COURT

COUNTY GENERAL FUND

4. Capital Outlay
TOTAL INCREASE

\$15,444
\$15,444

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

COUNTY AUDITOR

COUNTY GENERAL FUND

4. Capital Outlay
TOTAL REDUCTION

\$15,444
\$15,444

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

PROPOSAL NO. 150, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 150, 1994 on March 23, 1994. The proposal, sponsored by Councillor Mullin, appropriates \$24,000 for the Prosecuting Attorney to utilize a state grant to organize a series of anti-gang training workshops for law enforcement agencies sponsored by Project COURAGE. By a 6-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:48 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Mullin, for adoption. Proposal No. 150, 1994 was adopted on the following roll call vote; viz:

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

Proposal No. 150, 1994 was retitled FISCAL ORDINANCE NO. 9, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 9, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Twenty-four Thousand Dollars (\$24,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (x) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to utilize a state grant to organize a series of anti-gang training workshops for law enforcement agencies sponsored by Project COURAGE.

SECTION 2. The sum of Twenty-four Thousand Dollars (\$24,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY

STATE AND FEDERAL GRANTS FUND

2. Supplies
3. Other Services and Charges
TOTAL INCREASE

\$ 9,000
15,000
\$24,000

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

STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$24,000</u>
TOTAL REDUCTION	<u>\$24,000</u>

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

PROPOSAL NO. 151, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 151, 1994 on March 23, 1994. The proposal, sponsored by Councillor Mullin, appropriates \$75,000 for the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County funded by a state grant. By an 8-1 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 9:50 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Mullin, for adoption. Proposal No. 151, 1994, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 151, 1994, as amended, was retitled FISCAL ORDINANCE NO. 10, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) appropriating an additional Seventy-five Thousand Dollars (\$75,000) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (x) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to conduct a comprehensive traffic safety program in Marion County. The state grant will be funded through the Prosecutor's Office and will include other law enforcement agencies.

SECTION 2. The sum of Seventy-five Thousand Dollars (\$75,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	\$28,500
2. Supplies	12,500
3. Other Services and Charges	17,500
4. Capital Outlay	10,000

April 11, 1994

COUNTY AUDITOR

1. Personal Services (fringes)	<u>6,500</u>
TOTAL INCREASE	\$75,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>\$75,000</u>
TOTAL REDUCTION	\$75,000

SECTION 5. This City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the county auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

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

PROPOSAL NO. 152, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 152, 1994 on March 23, 1994. The proposal, sponsored by Councillor Mullin, appropriates \$24,500 for the Prosecuting Attorney to utilize a state grant to conduct a study to determine if racial disparity exists in the adult and juvenile criminal justice systems in Marion County. By a 6-3 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken.

Councillor Jimison urged the Councillors to override the Committee's recommendation to strike and to pass this proposal. She said that this is a state grant to determine if racial disparity exists and if there is fairness at every level of the process.

Councillor Dowden stated that this study has already been done by the Marion County Justice Agency.

Councillor Franklin said that he believes the only ones who would benefit from this study are people already in the criminal justice system looking for a way out. He said he believes there is disparity in the Marion County justice system, but it is whether or not a person can afford a high-priced attorney.

Councillor Curry stated that he supports the motion to strike because (1) a study has already been completed in this area, and (2) when he asked the questions as to what will this data do, who will be the user of the data, what kind of conclusions are expected to be drawn, and what will be the expected benefit to the community, he said he did not receive satisfactory answers to his questions in Committee.

Councillor Mullin said he sponsored this proposal, and the intent of this study is to prove whether there is disparity from point A in the process to point Z. He said he believes there is a disparity and it has not been clarified as to what Marion County's percentage is at any point in the process.

Councillor Boyd stated that he believes that there is a need to take another look at this proposal. He is unaware as to whether there was a written proposal requesting these funds. If there was, he would like the opportunity to take a look at it and to see if some of Councillor

Curry's questions are addressed. He would ask that the proposal be tabled and discussed when additional information has been received.

Councillor Black commented that he believes there is always controversy when proposals are discussed concerning minorities.

Councillor Short moved, seconded by Councillor Gray, to table Proposal No. 152, 1994. The motion failed by the following roll call vote; viz:

10 YEAS: Black, Boyd, Brents, Gilmer, Gray, Jimison, Jones, Mullin, Short, Williams
17 NAYS: Beadling, Borst, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, West
2 NOT PRESENT: McClamroch, Smith

Councillor Jimison asked that Rob Smith, Chief Fiscal Officer, Marion County Prosecutor's Office, come forward and answer if another study has been made, and if this study is different from the one in this proposal. Mr. Smith replied that he does not know too much about the study that was performed by the Justice Agency, but the goal of this study is to determine that the laws are applied equally and fairly to everyone regardless of race. It is an analysis of the data at all points in the process.

The Committee's recommendation to strike Proposal No. 152, 1994 was sustained by the following roll call vote; viz:

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

Councillor West asked for consent to explain his vote. Consent was given. Councillor West said that in this case there was no written proposal, the Committee did not receive a very good explanation as to what the study would accomplish, and it was not known who would be doing the study. The Prosecutor's Office is not the right agency to do this study concerning the justice system because it is part of the system.

PROPOSAL NOS. 153 and 154, 1994. PROPOSAL NO. 153, 1994. The proposal appropriates \$98,296 for the Superior Court, Juvenile Division/Detention Center, to pay the first year of a three year lease/purchase arrangement with the Indiana Bond Bank for a computer upgrade. PROPOSAL NO. 154, 1994. The proposal appropriates \$24,091 for the Superior Court, Juvenile Division/Detention Center, to cover service charges on computers and to purchase one modem for the court. Councillor Dowden asked for consent to postpone Proposal Nos. 153 and 154, 1994 until April 25, 1994. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 137, 1994. Acting Chairman Ruhmkorff reported that the Administration and Finance Committee heard Proposal No. 137, 1994 on April 5, 1994. The proposal, sponsored by Councillor Boyd, authorizes the Mayor to submit an application to the Indiana Housing Finance Authority for HOME Investment Funding on behalf of the Center Township

April 11, 1994

Trustee. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Ruhmkorff moved, seconded by Councillor Boyd, for adoption. Proposal No. 137, 1994, as amended, was adopted on the following roll call vote; viz:

25 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams

0 NAYS:

2 NOT VOTING: Giffin, Moriarty Adams

2 NOT PRESENT: McClamroch, Smith

Councillor Moriarty Adams abstained due to a conflict of interest.

Proposal No. 137, 1994, as amended, was retitled SPECIAL RESOLUTION NO. 26, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 1994

A SPECIAL RESOLUTION to authorize the Mayor to submit an application to the Indiana Housing Finance Authority for HOME Investment Funding on behalf of the Center Township Trustee. The requisite local funds in the amount of \$50,000.00 shall be comprised of revenues from the Center Township Trustee's Poor Relief Fund.

WHEREAS, the City of Indianapolis, Indiana, recognizes the need to stimulate growth and to maintain affordable housing within its corporate limits; and

WHEREAS, the National Affordable Housing Act of 1990, as amended, authorizes the Indiana Housing Finance Authority to provide awards to local units of government to meet the affordable housing and community development needs of low income persons; now, therefore:

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

SECTION 1. The Mayor of the City of Indianapolis is authorized to prepare and submit an application for grant funding on behalf of the Center Township Trustee to address conditions relating to a need to acquire and rehabilitate units of housing to provide transitional housing for the homeless in Center Township and to sponsor the Center Township Trustee's execution and administration of the resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Housing Finance Authority and the United States Department of Housing and Urban Development.

SECTION 2. The City-County Council supports the Center Township Trustee's intention to provide the requisite local funds in the amount of Fifty Thousand Dollars (\$50,000) comprised of revenues from the Center Township Trustee's Poor Relief Fund as matching funds for said program, such matching funds to be contingent upon receipt of HOME Investment funding from the Indiana Housing Finance Authority.

SECTION 3. This resolution shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 138, 1994. Acting Chairman Ruhmkorff reported that the Administration and Finance Committee heard Proposal No. 138, 1994 on April 4, 1994. The proposal, sponsored by Councillor Dowden, approves the leasing of farmland on Marion County Healthcare Center property by the Board of County Commissioners. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Ruhmkorff moved, seconded by Councillor Dowden, for adoption. Proposal No. 138, 1994 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

2 NOT VOTING: *Giffin, Mullin*

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 138, 1994 was retitled SPECIAL RESOLUTION NO. 27, 1994 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1994

A SPECIAL RESOLUTION approving the leasing of certain property by the Board of County Commissioners.

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

SECTION 1. The City-County Council hereby approves, pursuant to IC 36-1-11-3, the lease of property by the Board of County Commissioners.

SECTION 2. The property consists of approximately 96 acres on the property of the Marion County Health Care Center and will be used for agricultural purposes.

SECTION 3. The property has been appraised as required by IC 36-1-11-4. The appraised lease value is \$82-\$85 per acre.

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

PROPOSAL NO. 149, 1994. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 149, 1994 on March 23, 1994. The proposal transfers and appropriates \$2,500 for the Superior Court, Criminal Division, Room Five, to cover 1994 maintenance agreement costs. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 149, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 149, 1994 was retitled FISCAL ORDINANCE NO. 11, 1994 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 1994

A FISCAL ORDINANCE amending the City-County Annual Budget for 1994 (City-County Fiscal Ordinance No. 70, 1993) transferring and appropriating an additional Two Thousand Five Hundred Dollars (\$2,500) in the County General Fund for purposes of the Superior Court, Criminal Division, Room Five, and reducing certain other appropriations for that court.

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

April 11, 1994

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (kk) of the City-County Annual Budget for 1994, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Superior Court, Criminal Division, Room Five, to cover 1994 maintenance agreement costs.

SECTION 2. The sum of Two Thousand Five Hundred Dollars (\$2,500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	\$2,500
TOTAL INCREASE	\$2,500

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

<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	\$2,500
TOTAL REDUCTION	\$2,500

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

PROPOSAL NO. 156, 1994. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 156, 1994 on March 31, 1994. The proposal approves an agreement between the City of Indianapolis and the Town of Speedway for sewage transportation and treatment services. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Beadling, for adoption. Proposal No. 156, 1994 was adopted on the following roll call vote; viz:

27 YEAS: *Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Moriarty Adams, Mullin, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams*

0 NAYS:

2 NOT PRESENT: *McClamroch, Smith*

Proposal No. 156, 1994 was retitled SPECIAL ORDINANCE NO. 4, 1994 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1994

A SPECIAL ORDINANCE approving an Agreement between the City of Indianapolis and the Town of Speedway.

WHEREAS, the City of Indianapolis acting by and through its Department of Public works has agreed with the Town of Speedway to permit Speedway to extend sewer service into certain areas within the Indianapolis Sanitary District; and

WHEREAS, the terms of such agreement are set forth in an Agreement dated December 13, 1993; and

WHEREAS, such Agreement under IC 36-1-7 must be approved by the City-County Council before it becomes effective; now, therefore

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

SECTION 1. That the City-County Council approves the form of the Agreement between the City of Indianapolis and the Town of Speedway for Sewage Transportation and Treatment Services, a copy of which is attached hereto.

SECTION 2. The Clerk is directed to publish this ordinance as an Appendix to the Revised Code.

AGREEMENT
BETWEEN THE CITY OF INDIANAPOLIS
AND THE TOWN OF SPEEDWAY
FOR SEWAGE TRANSPORTATION AND TREATMENT SERVICES

THIS AGREEMENT ("Agreement") made and entered into as of the _____ day of _____, 1993, by and between the City of Indianapolis, Indiana ("City") duly acting through its Department of Public Works ("Department") and the Town of Speedway, Indiana, acting by and through its Town Council ("Speedway"),

WITNESSETH:

WHEREAS, in certain areas of the City, in the vicinity of Speedway, the City currently has no sanitary sewage system for transportation of waste water to its treatment plant capable of serving new residential or commercial development and does not, in the foreseeable future, plan to extend its sanitary sewer system to serve such areas; and

WHEREAS, Speedway has a sanitary sewage transportation and treatment system and is willing to accept waste water from certain territory outside the territorial boundaries of Speedway pursuant to IC 36-9-2-18, but within the territorial boundaries of City; and

WHEREAS, the City and Speedway wish to define those areas outside Speedway but within City for which Speedway may furnish waste water transportation and treatment services for residential and commercial development; and

WHEREAS, the laws of the State of Indiana (IC 36-1-7-2) permit intergovernmental agreements for services contemplated by this Agreement.

NOW, THEREFORE, City and Speedway mutually agree as follows:

1. Speedway may enter into private contracts with land owners in the areas hereinafter defined to build sewage transportation systems which shall be connected to the sewage transportation system of Speedway and Speedway shall provide sewage transportation and sewage treatment services at the Speedway waste water treatment plant for all sewage generated by any system built as a result of such private contracts.

2. Speedway (a) shall conduct all inspections of construction of sewage systems constructed pursuant to such private contracts and this Agreement, (b) shall accept sewage from such system for treatment, (c) shall provide sewage treatment of all waste water generated by such sewage systems and (d) after dedication and acceptance of such sewage systems shall provide maintenance of such sewage systems for the benefit of the users. All inspections and all maintenance after acceptance shall be conducted by or under the supervision of the Department of Public Works of Speedway.

3. Speedway shall be entitled to charge connection fees for connection to a sewage system constructed pursuant to this Agreement equal to the amount charged by Speedway for connections within the territorial limits of Speedway.

4. All connection fees and all sewer usage fees shall be collected by the Clerk-Treasurer of Speedway and shall be deposited in the accounts into which such deposits would be deposited if the territory being served were located within the territorial limits of Speedway.

5. The territory to be served by Speedway pursuant to this Agreement is described on Exhibit "A" attached hereto. This Agreement may be amended from time to time by the recording of an amendment which amends Exhibit "A". Such amendment shall only be effective if signed by the Director of the Department of Public Works of the City of Indianapolis.

6. Speedway agrees with respect to any sewage system it accepts and with respect to treatment of waste water received from such system or systems to comply with all applicable provisions of the Federal Water Pollution Control Act, as amended from time to time, and all State laws as amended from time to time, governing the transportation and/or treatment of waste water and to hold the City harmless from any and all liability arising out of a violation of such laws.

April 11, 1994

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

SECTION 1. That the City-County Council approves the form of the Agreement between the City of Indianapolis and the City of Beech Grove for drainage enforcement, a copy of which is attached hereto.

SECTION 2. The Clerk is directed to publish this ordinance as an Appendix to the Revised Code.

RESOLUTION NO. 14, 1993

A Resolution Approving an Interlocal Agreement
with the City of Indianapolis for Review of
Stormwater Permits and Enforcement of
Stormwater Ordinances and Regulations

Whereas, IC 36-1-7-2 provides that Indiana Municipal Corporations may enter into interlocal agreements governing subjects of mutual interest; and

Whereas, the City of Beech Grove wishes to enter into an interlocal agreement for review of stormwater permits and enforcement of stormwater ordinances and regulations by the Consolidated City of Indianapolis; and

Whereas, the attached agreement marked Exhibit "A" establishes the terms and conditions by which the Consolidated City of Indianapolis will review and grant permits for the construction of stormwater facilities and enforce drainage regulations in the City of Beech Grove, Indiana;

NOW THEREFORE BE IT RESOLVED by the
City of Beech Grove, Indiana that:

1. The Interlocal Cooperation Agreement Between the City of Indianapolis, Indiana and Beech Grove, Indiana for Review of Stormwater Permits and Enforcement of Stormwater Ordinances and Regulations, which is attached to this Resolution as Exhibit "A" is hereby approved as to form and content.
2. That the said agreement shall become effective upon passage of a resolution of the City of Indianapolis which approves said agreement as to form and content.

PASSED IN REGULAR SESSION THIS 6TH DAY OF DECEMBER, 1993.

COMMON COUNCIL

Robert E. Page

Bettylou Earleywine

Mary A. Bates

Nancy Sue Day

T. Gene Humphrye

Richard H. Templin

Jack L. Brown

ATTEST:

Marcella Miceli, Clerk-Treasurer

Presented to me and approved this 6th day of December, 1993.

J. Warner Wiley, Mayor, City of Beech Grove, Indiana

EXHIBIT "A"

INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE CITY OF INDIANAPOLIS, INDIANA
AND BEECH GROVE, INDIANA
FOR REVIEW OF STORMWATER PERMITS
AND ENFORCEMENT OF STORMWATER ORDINANCES
AND REGULATIONS

This Interlocal Cooperation Agreement ("Agreement") is executed by and between the Consolidated City of Indianapolis, Indiana, by and through its Department of Public Works ("City"), and the City of Beech Grove ("Beech Grove").

SECTION 1. AUTHORITY

The parties enter into this Agreement in accordance with the provisions of Ind. Code §36-1-7-2.

SECTION 2. AGREEMENT PURPOSE

The purpose of this Agreement is to establish the terms and conditions by which City will review and grant permits for the construction of stormwater facilities and enforce drainage regulations in Beech Grove.

SECTION 3. TERM

This Agreement shall be in effect from the date this document is executed by the parties until terminated for any reason on thirty (30) days written notice sent by either the Director of the Department of Public Works of the City of Indianapolis or his designee ("Director") or Mayor of Beech Grove, to the other by certified mail, return receipt requested. It is anticipated that no property, either real or personal, will be acquired as a result of this Agreement. To the extent such property is acquired, it shall be held solely in the name and for the benefit of City.

SECTION 4. SCOPE OF SERVICES

- A. City shall enforce drainage requirements within Beech Grove. Such requirements include all provisions of Chapter 10.5 of the Code of the Consolidated City of Indianapolis. It is the intent of the parties that the City enforce drainage and stormwater policy within Beech Grove as if the territory comprising the City of Beech Grove were part of the Consolidated City of Indianapolis and not an excluded city.
- B. Prior to City's exercise of the authority provided above, Beech Grove shall adopt by ordinance the provisions of Chapter 10.5 of the Code of the Consolidated City of Indianapolis. Beech Grove further agrees to adopt by ordinance any amendments or revisions to Chapter 10.5 and any regulations enacted thereunder by the Board of Public Works of the City.

SECTION 5. COMPENSATION

City shall collect and retain any and all fees and fines currently required or later established from applicants and others for drainage and stormwater review and enforcement. It is the intent of the parties that all residents of Beech Grove be required to pay the same fees and fines for drainage services under Chapter 10.5 as are required of residents of the City.

SECTION 6. AMENDMENT

This Agreement may be amended, modified or supplemented only by written instrument signed by each of the parties hereto, and any such amendment may pertain to one or more of the provisions of this Agreement without affecting other provisions of this Agreement.

SECTION 7. APPLICABLE LAWS

This Agreement shall be governed by the laws of the State of Indiana and by all municipal ordinances and codes of the City.

April 11, 1994

SECTION 8. BOARD

There is hereby created a Joint Board comprised of the Director and the Mayor of Beech Grove to perform any legal duty required to carry out the terms of this Agreement.

SECTION 9. SEVERABILITY

If any provision of this Agreement is held to be invalid, illegal or unenforceable by a court of competent jurisdiction, the provision shall be stricken, and all other provisions of this Agreement which can operate independently of such stricken provision shall continue in full force and effect.

SECTION 10. ENTIRE AGREEMENT

This Agreement represents the entire understanding between the City and Beech Grove regarding this subject matter and supercedes all prior negotiations, representations, and/or contracts, either oral or written.

IN WITNESS WHEREOF, the undersigned certify that they are duly authorized and empowered to execute this Agreement and thus bind the governmental unit in whose behalf they sign.

CITY OF INDIANAPOLIS, INDIANA
DEPARTMENT OF PUBLIC WORKS

CITY OF BEECH GROVE, INDIANA
DEPARTMENT OF PUBLIC WORKS

By: _____
Michael B. Stayton, Director

By: _____
Director

AS AUTHORIZED BY THE BOARD OF
PUBLIC WORKS BY RESOLUTION NO. _____
DATED: _____

AS AUTHORIZED BY THE BOARD OF
SANITATION

Signature

AS AUTHORIZED BY THE CITY-COUNTY
COUNCIL BY RESOLUTION NO. _____
DATED: _____
PROPOSAL NO. _____

Printed

Signature

ATTEST:

Lisa Hansen, Secretary Signature

Printed

Printed

APPROVED:

James H. Steele, Jr., Controller

AS AUTHORIZED BY THE CITY
COUNCIL OF BEECH GROVE

APPROVED:

Pamela Carter, Attorney General of Indiana

Signature

Printed

Signature

Printed

Signature

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Signature

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Signature

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Signature

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Signature

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PROPOSAL NO. 162, 1994. The proposal, sponsored by Councillors SerVaas, Beadling, Borst, Coughenour, Curry, Franklin, Gilmer, McClamroch, O'Dell, Rhodes and Smith, designates the east and west wings of the City-County Building for court facilities and approving securing those wings from unauthorized access. Councillor Curry asked for consent to postpone Proposal No. 162, 1994 until May 5, 1994. Consent was given.

PROPOSAL NOS. 164, 165, 166, 167, 168 and 170, 1994. Councillor Gilmer asked for consent to vote on these six transportation proposals together. Consent was given. PROPOSAL NO. 164, 1994. The proposal amends the Code by authorizing stop signs for Arbor Wood subdivision (District 18). PROPOSAL NO. 165, 1994. The proposal amends the Code by authorizing a multi-way stop at Raymond Street and Beulah Avenue (District 17). PROPOSAL NO. 166, 1994. The proposal amends the Code by authorizing a multi-way stop at Alabama Street and 19th Street (District 22). PROPOSAL NO. 167, 1994. The proposal amends the Code by authorizing a multi-way stop at New Jersey Street and 19th Street (District 22). PROPOSAL NO. 168, 1994. The proposal amends the Code by deleting a 35 mph speed limit for Tansel Road between Crawfordsville Road and Raceway Road (District 18). PROPOSAL NO. 170, 1994. The proposal amends the Code by changing the parking restrictions on segments of New York Street (District 22). Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 164, 165, 166, 167, 168 and 170, 1994 on March 23, 1994. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 164, 165, 166, 167, 168 and 170, 1994, were adopted on the following roll call vote; viz:

23 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, Mullin, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, West, Williams

0 NAYS:

4 NOT VOTING: Dowden, Giffin, Moriarty Adams, O'Dell

2 NOT PRESENT: McClamroch, Smith

Proposal No. 164, 1994 was retitled GENERAL ORDINANCE NO. 51, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1994

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

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

April 11, 1994

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 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>
30, Pg. 1	Arbor Woods Dr & Bower Dr	Arbor Woods Dr	Stop
30, Pg. 1	Arbor Woods Dr & High School Rd	High School Rd	Stop
30, Pg. 1	Arbor Woods Dr & Pergola Ln	Pergola Ln	Stop
30, Pg. 1	High School Rd & Pergola Ln	High School Rd	Stop

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

Proposal No. 165, 1994 was retitled GENERAL ORDINANCE NO. 52, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 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, Sec. 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>
30, Pg. 2	Raymond St & Beulah Av	Raymond St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 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>
30, Pg. 2	Raymond St & Beulah Av	None	All Way Stop

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

Proposal No. 166, 1994 was retitled GENERAL ORDINANCE NO. 53, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 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, Sec. 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>
25, Pg. 1	Alabama St. & 19th St.	Alabama St.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 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>
25, Pg. 1	Alabama St. & 19th St.	None	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. 167, 1994 was retitled GENERAL ORDINANCE NO. 54, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 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 I. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 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>
25, Pg. 19	New Jersey St. & 19th St.	New Jersey St.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 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>
25, Pg. 19	New Jersey St. & 19th St.	None	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. 168, 1994 was retitled GENERAL ORDINANCE NO. 55, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 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 I. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the deletion of the following, to wit:

35 MPH
Tansel Road,
from Crawfordsville Road to Raceway Road

April 11, 1994

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

Proposal No. 170, 1994 was retitled GENERAL ORDINANCE NO. 56, 1994 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1994

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Chapter 29, Sec. 29-268, Parking prohibited at all times on certain streets, and Sec. 29-271, Stopping, standing or 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, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the deletion of the following, to wit:

New York Street, on the south side, from
Davidson Street to State Street

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

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS
from 3:00 p.m. to 6:00 p.m.

New York Street, on the south side, from
Dickson Street to Arsenal Avenue

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

New York Street, on the south side, from
Davidson Street to Dickson Street

New York Street, on the south side, from
Arsenal Avenue to State Street

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

NEW BUSINESS

Councillor Golc invited all the Councillors to a ground-breaking ceremony on Monday, April 18, 1994, 10:00 a.m. for a new fire station at 42 North Warman.

Councillor Williams applauded the Council staff for the efficient turnaround with Committee minutes on some long hearings which were held recently. The President added that it is a hard-working staff and their work has been excellent.

Councillor Beadling said that she wanted to thank the Meals on Wheels for delivering meals recently to some of the Councillors.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Boyd stated that he has been asked to offer the following motion for adjournment by Councillor Smith. Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Francis Ned Wheatley. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:45 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of April, 1994.

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



President

ATTEST:



Acting Clerk of the Council

(SEAL)