

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

**REGULAR MEETINGS
MONDAY, APRIL 10, 1995**

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 7:14 p.m. on Monday, April 10, 1995, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

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

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on Monday, April 10, 1995, 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 22, 1995

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Friday, March 24, 1995, a copy of NOTICE TO TAXPAYERS OF A PUBLIC HEARING on Proposal No. 228, 1995.

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

March 21, 1995

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, March 23, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 164, 165, 167, and 196, 1995.

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

March 22, 1995

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

Ladies and Gentlemen:

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

SPECIAL ORDINANCE NO. 5, 1995 - authorizing the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$5,500,000 for the EPI Printers, Inc. project (7502 East 86th Street, District 4)

Respectfully,
s/Stephen Goldsmith, Mayor

March 27, 1995

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

Ladies and Gentlemen:

April 10, 1995

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

GENERAL ORDINANCE NO. 42, 1995 - amending the Code by authorizing a multi-way stop at Winthrop Avenue and 44th Street (District 6)

GENERAL ORDINANCE NO. 43, 1995 - amending the Revised Code by adding a new Chapter 295, Contracting Requirements

FISCAL ORDINANCE NO. 9, 1995 - an appropriation from the State and Federal Grants Fund in the amount of \$40,000 for the Prosecuting Attorney to pay salary and fringe benefits for a Community Prosecutor for the Weed and Seed initiative on the near west side financed by a federal grant

FISCAL ORDINANCE NO. 10, 1995 - an appropriation from the County General Fund in the amount of \$12,050 for the Cooperative Extension Service to cover lease and contractual services obligations financed by unappropriated revenues in the County General Fund

FISCAL ORDINANCE NO. 11, 1995 - an appropriation from the Redevelopment General Fund in the amount of \$150,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement the Facade Improvement Program which promotes the revitalization of the City's redeveloped commercial areas by providing financial incentives to participants financed by revenues from the Redevelopment General Fund

FISCAL ORDINANCE NO. 12, 1995 - an appropriation from the Metropolitan Development General Fund in the amount of \$225,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to implement document imaging for the Metropolitan Development Commission's resolutions, building permit documents, and variance and rezoning documents financed by revenues from the Metropolitan Development General Fund

FISCAL ORDINANCE NO. 13, 1995 - an appropriation from the Park General/Golf Fund in the amount of \$300,000 for the Department of Parks and Recreation, Golf Division, for the construction of a driving range and a maintenance building at Douglass Golf Course financed by the unappropriated and unencumbered fund balance

FISCAL ORDINANCE NO. 14, 1995 - an appropriation from the Drug Free Community Fund in the amount of \$27,174 for the Marion County Justice Agency to support the Indianapolis Challenge project, which is a coordinated approach to issues and problems concerning substance abuse and related violence in the County financed by revenues from that fund

FISCAL ORDINANCE NO. 15, 1995 - an appropriation from the Drug Free Community Fund in the amount of \$487,893 for the Marion County Justice Agency to provide various criminal justice treatment and education programs financed by revenues from that fund

FISCAL ORDINANCE NO. 16, 1995 - an appropriation from the City Cumulative Capital Development Fund in the amount of \$64,213 for the Department of Public Safety, Police Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994

FISCAL ORDINANCE NO. 17, 1995 - an appropriation from the City Cumulative Capital Development Fund in the amount of \$1,445,466 for the Department of Public Safety, Fire Division, to carry forward into 1995 the City Cumulative Capital Development Fund balance not utilized in 1994

FISCAL ORDINANCE NO. 18, 1995 - an appropriation from the Arterial Roads and Streets Fund in the amount of \$1,300,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk and resurfacing projects in neighborhoods financed by revenues from that fund

FISCAL ORDINANCE NO. 19, 1995 - an appropriation from the Parking Meter Fund in the amount of \$1,250,000 for the Department of Capital Asset Management, Asset Management Division, to supplement the City's investment in infrastructure in parking meter areas financed by revenues from that fund

FISCAL ORDINANCE NO. 20, 1995 - an appropriation from the City Cumulative Capital Improvement Fund in the amount of \$800,000 for the Department of Capital Asset Management, Asset Management Division, to provide funding for curb, sidewalk, and resurfacing projects financed by revenues from that fund

FISCAL ORDINANCE NO. 21, 1995 - an appropriation from the Sanitation General Fund in the amount of \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to fund unanticipated capital improvements greater than \$25,000 financed by revenues from that fund

FISCAL ORDINANCE NO. 22, 1995 - an appropriation from the Transportation General Fund in the amount of \$10,074,307 for the Department of Capital Asset Management, Asset Management Division, to provide funding for (1) additional resurfacing, curb and sidewalk repairs in neighborhoods; (2) service agreement for Washington Street; and (3) design work on I-70 and Six Points Road

FISCAL ORDINANCE NO. 23, 1995 - an appropriation from the Advanced Wastewater Treatment Facilities Reserve Fund in the amount of \$10,795,000 for the Department of Capital Asset Management, Finance and Administration Division, to make capital expenditures for the City's advanced wastewater treatment plant financed by revenues from that fund

FISCAL ORDINANCE NO. 24, 1995 - an appropriation from the State and Federal Grants Fund in the amount of \$45,000 for the Superior Court, Juvenile Division/Detention Center, to provide for an attorney for Child Advocates, Inc. financed by a state grant

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 1995 - an appropriation from the Police Service District Fund in the amount of \$621,992 for the Department of Public Safety, Police Division, to establish a Weed and Seed National Demonstration Program financed by a U.S. Department of Justice grant

SPECIAL RESOLUTION NO. 20, 1995 - recognizing Sgt. Gerald L. Young

SPECIAL RESOLUTION NO. 21, 1995 - concerning the Marion County Healthcare Center

SPECIAL RESOLUTION NO. 22, 1995 - amending S.R. 43, 1993, as amended, by extending the expiration date for Brulin & Company, Inc. through September 30, 1995 (2920 Dr. Andrew J. Brown Avenue, District 22)

SPECIAL RESOLUTION NO. 23, 1995 - an inducement resolution for El-Beulah Retirement Village, Inc. in an amount not to exceed \$4,500,000 for the acquisition, construction, installation and equipping of 68 unit multi-family residential rental facility for the elderly consisting of 34 one-story buildings containing two living units each to be located at 7606 East 82nd Street, on approximately 12.4 acres of land; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, construction and installation of various site improvements at the facility (District 4)

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of March 20, 1995. There being no additions or corrections, the minutes were approved as distributed.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 228, 1995. The President stated negotiations were continuing on this matter and the public hearing could be postponed until April 24, 1995. Zeff Weiss, Ice Miller Donadio & Ryan, and C. Duane O'Neal, Lewis & Kappes, both stated that negotiations were ongoing, and they were hopeful that the matter would be resolved by April 24, 1995. Councillor West asked if there is a written agreement to postpone this action. Mr. O'Neal stated that he formally notified Robert Elrod, General Counsel. Councillor West moved, seconded by Councillor Williams, to postpone. Proposal No. 228, 1995 was postponed by consent.

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PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 247, 1995. This proposal, sponsored by Councillors Hinkle, Brents, Giffin, Golc, and Shambaugh, recognizes the state high school basketball champion Ben Davis High School Giants. Councillor Hinkle read the resolution and presented copies of the document and Council pins to the team members and the coaching staff. Councillor Hinkle moved, seconded by Councillor Giffin, for adoption. Proposal No. 247, 1995 was adopted by unanimous voice vote.

Councillor Giffin and Mayor Stephen Goldsmith expressed praise for the team. Steve Witty, Head Coach, expressed appreciation for the recognition.

Proposal No. 247, 1995 was retitled SPECIAL RESOLUTION NO. 24, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1995

A SPECIAL RESOLUTION recognizing the state high school basketball champion Ben Davis High School Giants.

WHEREAS, the third trip in three years to the Final Four Indiana High School Athletic Association's boys basketball tournament was charmed for the Ben Davis High School Giants; and

WHEREAS, in an exciting game, the number one ranked Ben Davis defeated the number two rated Merrillville team 58-57 for the state basketball championship title; and

WHEREAS, all of the 385 teams who entered the tourney knew that only one would be celebrating as the newly-crowned State Champions on Saturday night, March 25, 1995; and

WHEREAS, contributing elements to the winning Ben Davis team include outstanding athletes, loyal fans, a supportive school, hard work, the will to win, supportive parents, teamwork, sacrifices and Coach Steve Witty and his staff; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the Ben Davis High School Giants for their outstanding 32-1 season and their first-ever boys basketball state championship team.

SECTION 2. The Council specifically recognizes team members Derin Graham, Chet Washington, Matthew Clark, Antoine Carpenter, Damon Frierson, Tim Hall, Keith Patterson, Ahmed Bellamy, Jeff Poisel, Yon Price, James Patterson, Terry Ingram and Courtney James; as well as Coach Steve Witty, Assistant Coaches Terry Strahm, Doug Opel, Dave Patz, and Volunteer Coaches Jim Peacock, Eric Rauck and Kendall Scott Price.

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. 248, 1995. This proposal, sponsored by Councillor Brents, recognizes Mary Brown Bullock. Councillor Brents read the resolution and presented a copy of the document to Mary Brown Bullock, who expressed appreciation for the recognition. Also present were Geneva Witt Porter, Ira Hogan, and Linda Ellis. Councillor Brents moved, seconded by Councillor West, for adoption. Proposal No. 248, 1995 was adopted by unanimous voice vote.

Proposal No. 248, 1995 was retitled SPECIAL RESOLUTION NO. 25, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1995

A SPECIAL RESOLUTION recognizing Mary Brown Bullock.

WHEREAS, in 1991, Mary Brown Bullock, while working at the Indiana University School of Nursing's Assist-A-Friend Program for Marion County Health and Hospital Corporation, had a vision about giving community leaders a 13-week training for Neighbor helping Neighbor as Advocates on Emergency Aid and Advice on where to go for help, and hold these classes in communities of the North, East, South and West parts of Indianapolis; and

WHEREAS, Ms. Bullock solicited volunteers from the Marion County Health Department, medical doctors, nurses, dentists, the Red Cross, Little Red Door, Marion County Welfare Department, firefighters and over a hundred different agencies with expertise in AIDS, safe sex, stress management, substance abuse, anatomy, preparing nutritious foods, cancer, parenting, first aid and CPR; and

WHEREAS, the name CHAP was chosen for the program -- meaning Community Health Advocacy Program; and

WHEREAS, Classes were held at Blackburn Health Center, Greenleaf Multi-Service Center, Citizens Multi-Service Center, Christamore House, Martin Luther King Multi-Service Center, Helping Hands Outreach Center, Edna Martin Community Center and at the Meadows Community Center; and

WHEREAS, the participants range from age 18 to 88, male and female; and out of nine classes, there have been 126 graduates; and

WHEREAS, each graduation class was held with ceremonies including a speaker and refreshments, and each graduate received a Certificate from Governor Evan Bayh and Mayor Stephen Goldsmith; 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 Mary Brown Bullock for her dedication to pursuing a successful vision.

SECTION 2. The Council also congratulates all 126 graduates of CHAP, and wishes them well as they apply their skills to help people throughout the neighborhoods.

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. 249, 1995. This proposal, sponsored by Councillor Williams, commends the Riley Area's efforts to retain a city police substation. Councillor Williams read the resolution and presented a copy of the document to Leah Orr, who expressed appreciation for the recognition. Councillor Williams moved, seconded by Councillor Short, for adoption. Proposal No. 249, 1995 was adopted by unanimous voice vote.

Proposal No. 249, 1995 was retitled SPECIAL RESOLUTION NO. 26, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 1995

A SPECIAL RESOLUTION commending the St. Joseph Neighborhood and the Riley Area Revitalization Program's work to retain a city police substation.

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WHEREAS, the Riley Area Revitalization Program, Inc., residents of the St. Joseph Neighborhood Association, and Riley Area businesses have just elevated community policing to a new high level; and

WHEREAS, when a lease expired and the Indianapolis Police Department made plans to move its substation to the City-County Building, the Riley Area community immediately responded with a considerable amount of time, talent and money to clearly demonstrate that the people of the St. Joseph, Chatham-Arch and Lockerbie neighborhood place a high value on the presence of the city police; and

WHEREAS, Dan Garrity, owner of Sonitrol of Indianapolis, Inc., stepped forward and offered rent-free space for a new neighborhood police substation, interior designer Bruce Mair, neighborhood architect Pedro Caceres and numerous others of the near-downtown community pulled together to make ready a police precinct office of which the neighbors and the day-to-day police officers could be extremely proud; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and commends the generosity, energy and spirit of the citizens and businesses of the St. Joseph, Chatham Arch and Lockerbie neighborhood in the Riley Area for providing the city police department with a new substation in their area.

SECTION 2. The Council specifically recognizes Leah Orr for her exceptional inspiration, drive and dedication to pull the project together to benefit the neighborhood.

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. 250, 1995. This proposal, sponsored by Councillors McClamroch and Jimison, recognizes the Indiana University School of Law - Indianapolis Centennial. Councillor McClamroch read the resolution and presented a copy of the document to Professor Ron Polston and Dean Norman Lefstein, who expressed appreciation for the recognition. Councillor McClamroch moved, seconded by Councillor Jimison, for adoption. Proposal No. 250, 1995 was adopted by unanimous voice vote.

Proposal No. 250, 1995 was retitled SPECIAL RESOLUTION NO. 27, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1995

A SPECIAL RESOLUTION recognizing the Indiana University School of Law-Indianapolis Centennial.

WHEREAS, the Indiana University School of Law-Indianapolis, having undertaken its mission as the Indiana Law School in 1895, with many of the initial faculty having formerly been with the DePauw University School of Law, and, later joining with the Benjamin Harrison Law School to provide quality legal education to students from Indiana and other states; and

WHEREAS, the School of Law, for the past fifty years, has been an important part of Indiana University, a great public institution of higher learning; and

WHEREAS, the School of Law, as the largest law school in the State of Indiana, counts over 6,000 legal professionals in 49 states among its alumni; and

WHEREAS, the alumni and faculty of the School of Law include two former Vice Presidents of the United States, seven U.S. Senators, and over one hundred currently sitting judges, including two Justices of the Supreme Court of Indiana; and

WHEREAS, the School of Law is, in the 1994-1995 academic year, marking its one-hundredth year of providing excellence and equal opportunity in legal education to students from throughout the United States and the world; and

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 April 23, 1995, as Indiana University School of Law-Indianapolis Day, and that the students, faculty, staff and alumni of the Law School be congratulated for their contributions to the State of Indiana and the City of Indianapolis by providing educational programs in the law, which have been its hallmark for the one-hundred years of its existence.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

The President stated that PROPOSAL NOS. 180, 212-214, 216, 217, and 222, 1995 were heard by various committees and would be considered together.

PROPOSAL NO. 180, 1995. The proposal appoints Aaron E. Haith to the Public Housing Board. PROPOSAL NO. 212, 1995. The proposal reappoints Margaret Maxwell to the Marion County Commission on Youth. PROPOSAL NO. 213, 1995. The proposal appoints Ernestine Nicholson to the Equal Opportunity Advisory Board. PROPOSAL NO. 214, 1995. The proposal appoints Joseph M. Rink to the Metropolitan Board of Zoning Appeals II. PROPOSAL NO. 216, 1995. The proposal reappoints Sara Mitten Snyder to the Indianapolis City-Market Corporation Board. PROPOSAL NO. 217, 1995. The proposal appoints Chester Carpenter to the Public Housing Board. PROPOSAL NO. 222, 1995. The proposal appoints Felicia Triggs to the Urban Enterprise Association. By unanimous votes, Proposal Nos. 180, 212-214, 216, 217, and 222, 1995 were reported to the Council with the recommendation that they do pass. Councillor McClamroch moved, seconded by Councillor Boyd, for adoption. This motion carried by a unanimous voice vote.

Proposal No. 180, 1995 was retitled COUNCIL RESOLUTION NO. 39, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 39, 1995

A COUNCIL RESOLUTION appointing Aaron E. Haith to the Public Housing 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 Public Housing Board, the Council appoints:

Aaron E. Haith

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. 212, 1995 was retitled COUNCIL RESOLUTION NO. 40, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 40, 1995

A COUNCIL RESOLUTION reappointing Margaret Maxwell to the Marion County Commission on Youth.

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

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SECTION 1. As a member of the Marion County Commission on Youth, the Council appoints:

Margaret Maxwell

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. 213, 1995 was retitled COUNCIL RESOLUTION NO. 41, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 1995

A COUNCIL RESOLUTION appointing Ernestine Nicholson to the Equal Opportunity Advisory Board.

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

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

Ernestine Nicholson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1995. 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. 214, 1995 was retitled COUNCIL RESOLUTION NO. 42, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 1995

A COUNCIL RESOLUTION appointing Joseph M. Rink to the Metropolitan Board of Zoning Appeals II.

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 Metropolitan Board of Zoning Appeals II, the Council appoints:

Joseph M. Rink

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.

Proposal No. 216, 1995 was retitled COUNCIL RESOLUTION NO. 43, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 1995

A COUNCIL RESOLUTION reappointing Sara Mitten Snyder to the Indianapolis City-Market Corporation 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 Indianapolis City-Market Corporation Board, the Council appoints:

Sara Mitten Snyder

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. 217, 1995 was retitled COUNCIL RESOLUTION NO. 44, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 1995

A COUNCIL RESOLUTION appointing Chester Carpenter to the Public Housing 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 Public Housing Board, the Council appoints:

Chester Carpenter

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. 222, 1995 was retitled COUNCIL RESOLUTION NO. 45, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 1995

A COUNCIL RESOLUTION appointing Felicia Triggs to the Urban Enterprise Association.

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 Urban Enterprise Association, the Council appoints:

Felicia Triggs

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1998. 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. 229, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Comprehensive Zoning Maps of Marion County by updating base maps numbers 2, 14, 28, 47, 50, and 51"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 230, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION affirming the City's Intent to comply with the minimum standards of the National Flood Insurance Program"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 231, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing building permit requirements requested by the Federal Emergency Management Administration relative to Floodway areas;

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and changes terms from one year to two years for (1) listing of general contractors; (2) licensure of craft contractors; and (3) registration of plumbers"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 232, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE prohibiting the use of benefit leave time by County employees prior to its accrual"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 233, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting hearings on Maxicare"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 234, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$59,168 to pay outstanding invoices and cover the shortfall in personal services for the Marion County Healthcare Center financed by transferring other appropriations"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 235, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$46,154 for the Superior Court, Juvenile Division/Detention Center, to employ a person currently under contract to the City financed from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 236, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$8,123 to pay overtime per Fair Labor Standards Act's guidelines for the Superior Court, Criminal Division, Rooms 1, 2, 4, and 6, and Civil Division, Rooms 1 and 2, financed from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 237, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment to Snell Environmental Group, Inc."; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 238, 1995. WITHDRAWN.

PROPOSAL NO. 239, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing traffic signals at Senate Boulevard and the entrance to Methodist Hospital (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 240, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing stop signs at Oriental Street and 11th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 241, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Arsenal Avenue and 12th Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 242, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing a multi-way stop at Briarwood Drive and Sylvan Ridge Drive (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 243, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing the intersection controls at 51st Street and Knollton Road (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 244, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing the intersection controls at Park Avenue and 44th Street (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 245, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE reducing the speed limit on 86th Street from Lafayette Road to I-465 (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 246, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE increasing the speed limit on 46th Street from Raceway Road to McCurdy Road (District 1)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 251, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE revising building permit exemptions as to certain construction activities in floodways"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 252, 1995. Introduced by Councillor Beadling. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION requesting the Metropolitan Development Commission to initiate and adopt amendments to the Zoning Ordinance for Marion County to fix limits upon certain enforcement actions"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 253-256, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 6, 1995."

Councillor Dowden read the following motion:

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Mr. President:

I move that Proposal No. 254, 1995 (Rezoning Case 94-Z-201) be scheduled for a hearing before this Council at its next regular meeting on April 24, 1995 at 7:00 p.m. and that the Clerk read the announcement of such hearing and enter same in the minutes of this meeting.

Consent was given to schedule this proposal for a public hearing on April 24, 1995. Proposal No. 254, 1995 is identified as follows:

94-Z-201 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT #4.
4057 EAST 56TH STREET (approximate address), INDIANAPOLIS.
SALEASE CORPORATION requests the rezoning of 3.67 acres, being in the D-3 District, to the D-5 classification to provide for eight two-family units.

The Council did not schedule Proposal Nos. 253, 255, and 256, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 253, 255, and 256, 1995 were retitled REZONING ORDINANCE NOS. 45, 46, and 47, 1995 and are identified as follows:

REZONING ORDINANCE NO. 45, 1995. 95-Z-9 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #25.
375 EAST BANTA ROAD (approximate address), INDIANAPOLIS.
RESIDENTIAL CARE II, LLC, by David A. Retherford, requests the rezoning of 9.37 acres, being in the D-A and D-6 Districts, to the D-P classification to provide for construction of a senior citizen retirement housing development consisting of a combination of one-story fourplex and duplex condominium units, with an assisted living center.

REZONING ORDINANCE NO. 46, 1995. 95-Z-13 WAYNE TOWNSHIP.
COUNCILMANIC DISTRICT #17.
5051 WEST BRADBURY AVENUE (approximate address), INDIANAPOLIS.
C.M. LAND MANAGEMENT, by Mitch Sever, requests the rezoning of 0.20 acres, being in the D-4 District, to the C-5 classification to provide for a parking lot.

REZONING ORDINANCE NO. 47, 1995. 95-Z-14 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #04.
8788 HAGUE ROAD (approximate address), INDIANAPOLIS.
UNIVERSAL TOOL & ENGINEERING, INC., by David R. Warshauer, requests the rezoning of 11.9062 acres, being in the C-1 District, to the I-1-S classification to provide for engineering and research laboratories and offices.

PROPOSAL NO. 257, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 6, 1995." The Council did not schedule Proposal No. 257, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 257, 1995 was retitled REZONING ORDINANCE NO. 48, 1995 and is identified as follows:

REZONING ORDINANCE NO. 48, 1995. 95-Z-17 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #14.
9550 EAST 42ND STREET (approximate address), INDIANAPOLIS.
MT. CARMEL BAPTIST CHURCH, by Ronald A. Wright, requests the rezoning of 15.813 acres, being in the D6II (FF) District, to the SU-1 (FF) classification to provide for the construction of a church.

PROPOSAL NOS. 258-263, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on April 6, 1995." The Council did not schedule Proposal Nos. 258-263, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 258-263, 1995 were retitled REZONING ORDINANCE NOS. 49-54, 1995 and are identified as follows:

REZONING ORDINANCE NO. 49, 1995. 95-Z-213 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #05.

6285 OAKLANDON ROAD (approximate address), CITY OF LAWRENCE.

OAKLANDON ASSOCIATES, INCORPORATED, by Gordon L. Harper, requests the rezoning of 1.0 acres, being in the D-A District, to the C-5 classification to provide for expansion of an existing business adjacent to the site.

REZONING ORDINANCE NO. 50, 1995. 95-Z-10 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #21.

1841-1851 ZWINGLEY STREET (approximate address), INDIANAPOLIS.

NEW CROWN CEMETERY, by Christopher D. Long, requests the rezoning of 0.25 acres, being in the D-5 District, to the SU-10 classification to provide for the expansion of an existing cemetery.

REZONING ORDINANCE NO. 51, 1995. 95-Z-15 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #04.

6202 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.

WESTEL-INDIANAPOLIS COMPANY d/b/a CELLULAR ONE, by James A.L. Buddenbaum, requests the rezoning of 0.19 acres, being in the C-1 District, to the SU-35 classification to provide for cellular mobile communication public utility service, including construction of a 360 square feet equipment building and a 120 foot monopole.

REZONING ORDINANCE NO. 52, 1995. 95-Z-21 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #05.

10509 PENDLETON PIKE (approximate address), CITY OF LAWRENCE.

KARL M. and JACQUELINE J. THEYSSEN, by Cameron F. Clark, request the rezoning of 1.23 acres, being in the D-A District, to the C-4 classification to provide for retail commercial development.

REZONING ORDINANCE NO. 53, 1995. 95-Z-22 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT #05.

10581 PENDLETON PIKE (approximate address), CITY OF LAWRENCE.

RAY D. CUMMINS, by Cameron F. Clark, requests the rezoning of 1.23 acres, being in the D-A District, to the C-4 classification to provide for retail commercial development.

REZONING ORDINANCE NO. 54, 1995. 95-Z-34 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT #11.

3950 MEADOWS DRIVE (approximate address), INDIANAPOLIS.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests the rezoning of 0.996 acres, being in the C-4 District, to the SU-9 classification to provide for construction of a police substation.

Councillor Beadling asked for consent to hear Proposal No. 190, 1995 next, due to the fact that many audience members were present to hear this proposal. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 190, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 190, 1995 on March 28, 1995. The proposal, sponsored by Councillor Beadling, adopts a new Wellfield Protection Zoning Ordinance for Marion County, further restricting land uses to protect the ground water/aquifer resources of specifically delineated areas of Marion County. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West stated that he has submitted an amendment for this proposal to Mr. Elrod which would allow a hearing examiner to be inserted in place of the Board of Zoning Appeals.

The President stated that the Health & Hospital Corporation ("H&H") was willing to extend the moratorium on this issue for an additional three days, which would allow the Committee

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to fully examine the amendment. The President then suggested returning this proposal to Committee for further review.

Councillor Beadling moved, seconded by Councillor West, to return this proposal to Committee.

[Clerk's Note: The President passed the gavel to Vice-President McClamroch.]

Councillor SerVaas stated that he suggested that a hearing officer be involved in this issue in order to examine the technical, scientific, and regulatory aspects of this issue. He then stated that he feels the Committee needs more time to examine the issue.

Councillor Williams stated that this is a very complicated issue and perhaps H&H could extend the moratorium for more than three days. She also stated that this proposal was not rushed through Committee; the matter was studied and there were many questions asked.

[Clerk's Note: Vice-President McClamroch returned the gavel to President SerVaas.]

Councillor Beadling stated that she feels this matter needs to be resolved by the next Council meeting in order to be fair to the businesses that will be affected by this ordinance.

Councillor Borst stated a three-day extension of the moratorium would be fair, but any further extensions would be unfair to the business community. Councillor Rhodes concurred with Councillor Borst.

Proposal No. 190, 1995 was returned to committee by a unanimous voice vote.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 69, 1995. The proposal transfers \$310,000 from the County General Fund to the Supplemental Public Defender Fund to make up the 1994 revenue shortfall in the Supplemental Public Defender Fund. Councillor Dowden moved, seconded by Councillor Schneider, to postpone this proposal until May 8, 1995. Proposal No. 69, 1995 was postponed until May 8, 1995 by consent.

PROPOSAL NO. 111, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 111, 1995 on March 28, 1995. The proposal appropriates \$168,000 for the Department of Metropolitan Development, Planning Division, to increase its current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding for the Small Business Incubator Program financed from the Metropolitan Development General Fund and by additional tax abatement filing fees. By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:42 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Williams, for adoption. Proposal No. 111, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Giffin, Moriarty Adams*

Proposal No. 111, 1995 was retitled FISCAL ORDINANCE NO. 25, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Sixty-eight Thousand Dollars (\$168,000) in the Metropolitan Development General Fund for purposes of the Department of Metropolitan Development, Planning Division, and reducing the unappropriated and unencumbered balance in the Metropolitan Development General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Planning Division, to increase the current contracts with Indianapolis Project, Inc. and Greater Indianapolis Progress Committee and to provide funding to the Small Business Incubator Program. The Metropolitan Development General Fund anticipates receiving an additional \$86,000 of tax abatement filing fees.

SECTION 2. The sum of One Hundred Sixty-eight Thousand Dollars (\$168,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	
<u>PLANNING DIVISION</u>	<u>METROPOLITAN DEVELOPMENT GENERAL FUND</u>
3. Other Services and Charges	<u>168,000</u>
TOTAL INCREASE	168,000

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

	<u>METROPOLITAN DEVELOPMENT GENERAL FUND</u>
Unappropriated and Unencumbered	
Metropolitan Development General Fund	<u>168,000</u>
TOTAL REDUCTION	168,000

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

PROPOSAL NO. 115, 1995. The proposal, sponsored by Councillor Franklin, appropriates \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed from the County General Fund. Councillor Dowden moved, seconded by Councillor Franklin, to postpone this proposal until May 8, 1995. Proposal No. 115, 1995 was postponed until May 8, 1995 by consent.

PROPOSAL NO. 131, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 131, 1995 on March 8, 1995. The proposal appropriates \$1,000,000 for the Department of Capital Asset Management, Asset Management Division, to supplement investment in Combined Sewer Overflow projects throughout the City financed

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from balances in the Sanitary District General Improvement Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Beadling, for adoption. Proposal No. 131, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 131, 1995 was retitled FISCAL ORDINANCE NO. 26, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Dollars (\$1,000,000) in the Sanitary District General Improvement Fund for purposes of the Department of Capital Asset Management, Asset Management Division, and reducing the unappropriated and unencumbered balance in the Sanitary District General Improvement Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(m) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Capital Asset Management, Asset Management Division to supplement investment in Combined Sewer Overflow projects throughout the City.

SECTION 2. The sum of One Million Dollars (\$1,000,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>ASSET MANAGEMENT DIVISION</u>	<u>SANITARY DISTRICT GENERAL</u> <u>IMPROVEMENT FUND</u>
4. Capital Outlay	<u>1,000,000</u>
TOTAL INCREASE	1,000,000

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

	<u>SANITARY DISTRICT GENERAL</u> <u>IMPROVEMENT FUND</u>
Unappropriated and Unencumbered Sanitary District General Improvement Fund	<u>1,000,000</u>
TOTAL REDUCTION	1,000,000

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

PROPOSAL NO. 164, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 164, 1995 on March 1, 1995. The proposal appropriates \$1,081,857 for the County Sheriff to pay for expenses at Riverside Community Corrections facility, prisoner food and medical care, FOP contract and fringe benefits financed by additional revenue of \$315,000 generated from wrecker fees, special deputy fees and machine permit fees and the balance from the County General Fund balances. By an 8-0

vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:48 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 164, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Black, Giffin*

Proposal No. 164, 1995 was retitled FISCAL ORDINANCE NO. 27, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Million Eighty-one Thousand Eight Hundred Fifty-seven Dollars (\$1,081,857) in the County General Fund for the County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) and (z) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff to pay expenses for Riverside Community Corrections facility, prisoner food and medical care, FOP contract and fringe benefits.

SECTION 2. The sum of One Million Eighty-one Thousand Eight Hundred Fifty-seven Dollars (\$1,081,857) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	273,681
3. Other Services and Charges	757,239
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	50,937
TOTAL INCREASE	1,081,857

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	1,081,857
TOTAL REDUCTION	1,081,857

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

PROPOSAL NO. 165, 1995. The proposal appropriates \$145,697 for the Superior Court, Juvenile Division/Detention Center, to fund the balance due for the Court/Center computer and to pay various maintenance agreements financed from the County General Fund balances.

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Councillor Dowden moved, seconded by Councillor Jimison, to postpone this proposal until April 24, 1995. Proposal No. 165, 1995 was postponed until April 24, 1995 by consent.

PROPOSAL NO. 167, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 167, 1995 on March 1, 1995. The proposal appropriates \$70,500 for the County Auditor to cover the cost associated with the preparation of the Marion County Hazardous Materials Response Plan and the cost of providing community right to know information for Marion County financed by revenues from the Local Emergency Planning and Right to Know Fund. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:50 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor O'Dell, for adoption. Proposal No. 167, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: *Black, Giffin, Rhodes*

Proposal No. 167, 1995 was retitled FISCAL ORDINANCE NO. 28, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seventy Thousand Five Hundred Dollars (\$70,500) in the Local Emergency Planning and Right to Know Fund for the purposes of the County Auditor and reducing the unappropriated and unencumbered balance in the Local Emergency Planning and Right to Know Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purpose of the County Auditor to cover cost associated with the preparation of the Marion County hazardous materials response plan and cost of providing community right to know information for Marion County.

SECTION 2. The sum of Seventy Thousand Five Hundred Dollars (\$70,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>LOCAL EMERGENCY PLANNING</u>
3. Other Services and Charges	<u>AND RIGHT TO KNOW FUND</u>
TOTAL INCREASE	<u>70,500</u>
	70,500

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

	<u>LOCAL EMERGENCY PLANNING</u>
	<u>AND RIGHT TO KNOW FUND</u>
Unappropriated and Unencumbered	
Local Emergency Planning and Right to Know Fund	<u>70,500</u>
TOTAL REDUCTION	70,500

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

PROPOSAL NO. 196, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 196, 1995 on March 21, 1995. The proposal appropriates \$42,924 for the Marion County Justice Agency to cover the cost of continuing participation in the Drug Use Forecasting Program financed by grant revenues of the State and Federal Grants Fund. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:52 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 196, 1995 was adopted on the following roll call vote; viz:

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

1 NAY: *Smith*

3 NOT VOTING: *Black, Giffin, Gray*

Proposal No. 196, 1995 was retitled FISCAL ORDINANCE NO. 29, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Forty-two Thousand Nine Hundred Twenty-four Dollars (\$42,924) in the State and Federal Grants Fund for the purpose of the Marion County Justice Agency and the County Auditor 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(dd) and (b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Marion County Justice Agency and the County Auditor to pay the expenses connected with participation in the Drug Use Forecasting Program.

SECTION 2. The sum of Forty-two Thousand Nine Hundred Twenty-four Dollars (\$42,924) 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>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	35,796
2. Supplies	1,000
3. Other Services and Charges	400
<u>COUNTY AUDITOR</u>	
1. Personal Services - Fringes	<u>5,728</u>
TOTAL INCREASE	42,924

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

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STATE AND FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
State and Federal Grants	<u>42,924</u>
TOTAL REDUCTION	42,924

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

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

PROPOSAL NO. 114, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 114, 1995 on February 22, 1995. The proposal appropriates \$51,742 for the Superior Court, Juvenile Division/Detention Center, to fund a Magistrate position at the court financed by revenues received from the Marion County Office of Family and Children. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor O'Dell stated that hiring an employee prior to acquiring funding for that employee is not permitted. The passage of this proposal would send the wrong message to other County agencies.

The President called for public testimony at 8:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Golc, for adoption. Proposal No. 114, 1995 was adopted on the following roll call vote; viz:

20 YEAS: Boyd, Brents, Coughenour, Curry, Franklin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, Schneider, SerVaas, Shambaugh, Short, West, Williams

6 NAYS: Black, Borst, O'Dell, Rhodes, Ruhmkorff, Smith

3 NOT VOTING: Beadling, Dowden, Giffin

Proposal No. 114, 1995 was retitled FISCAL ORDINANCE NO. 30, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Fifty-one Thousand, Seven Hundred Forty-two Dollars (\$51,742) in the County General Fund for purposes of the Superior Court, Juvenile Division/Detention Center and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) and (kk) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of funding a position of Magistrate at the Superior Court, Juvenile Division/Detention Center.

SECTION 2. The sum of Fifty-one Thousand Seven Hundred Forty-two Dollars (\$51,742) 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>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	41,393
<u>COUNTY AUDITOR</u>	
1. Personal Services - Fringes	<u>10,349</u>
TOTAL INCREASE	51,742

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>51,742</u>
TOTAL REDUCTION	51,742

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 590, 1994. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 590, 1994 on March 28, 1995. The proposal, sponsored by Councillors Rhodes and McClamroch requests the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from locating within 3000 feet of another such facility. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor West moved, seconded by Councillor Rhodes, for adoption. Proposal No. 590, 1994, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Dowden, Giffin

Proposal No. 590, 1994, as amended, was retitled GENERAL ORDINANCE NO. 44, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1995

A GENERAL ORDINANCE requesting the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from being located within 3000 feet of each other.

WHEREAS, IC 12-28-4-7 authorizes zoning restrictions to prohibit residential group homes for the mentally ill from being located within 3000 feet of each other; and

WHEREAS, the Council recommends that such restrictions be adopted for Marion County; now, therefore:

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

SECTION 1. The City-County Council requests the director of the Department of Metropolitan Development and the Metropolitan Development Commission to initiate and adopt amendments to the Dwelling District Zoning Ordinance to prohibit residential group homes for the mentally ill from being located within 3000 feet, as measured between lot lines, from another such facility.

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SECTION 2. The chairman of the Metropolitan Development Commission is requested to report the status of this request to the chairman of Metropolitan Development Committee of this Council on or before June 30, 1995.

PROPOSAL NO. 168, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 168, 1995 on April 6, 1995. The proposal amends Sec. 13-1 of the Code by making technical amendments regarding solid waste collection. 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 Hinkle, for adoption. Proposal No. 168, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Giffin, Williams*

Proposal No. 168, 1995 was retitled GENERAL ORDINANCE NO. 45, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Indiana to make technical amendments regarding solid waste collection.

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

SECTION 1. Section 13-1 of the Code is hereby amended by inserting the underlined text and deleting the stricken-through text to read as follows:

Sec. 13-1. Definitions.

The following definitions shall apply in this chapter, unless otherwise indicated clearly by text:

- (1) *Containerized collection* means all mechanized collection of solid waste from dumpsters by front loading, rear loading and roll-off vehicles.
- (2) *Dumpster* means a receptacle used to contain solid waste and designed for mechanical pick up and provided by a hauler for use by the customer.
- (3) *Garbage* means all putrescible animal solid, vegetable solid and semi-solid wastes resulting from the processing, handling, preparation, cooking, serving or consumption of food or food materials, excluding human excreta.
- (4) *Incinerator* means any apparatus to burn waste substances in which all the factors of combustion-temperature, retention time, turbulence and combustion air-can be controlled.
- (5) *Landfill* means a sanitary landfill.
- (6) *Multi-Family Residence* means a structure containing five or more residential units, and does not include condominiums.
- (7) *Noncommercial vehicle* means a vehicle used for the purpose of transporting solid waste including, but not limited to, pick-up trucks, cars, vans, dump trucks, and U-hauls and shall not mean rear loaders, front loaders, roll-off trucks, roll-off containers or sideloaders.

- (8) *Processing* means the method, system or other treatment of solid wastes so as to change their chemical or physical form or affect it for disposal or recovery of material, but excluding vehicles for transportation or landfills.
- (9) *Recycling station* means a facility for the processing or storage of separated solid wastes prior to transportation to markets.
- (10) *Refuse* means all putrescible and nonputrescible solid and semi-solid wastes, except human excreta, but including ashes, street cleanings, offal and solid commercial, industrial and institutional wastes.
- (11) *Residential solid waste* means all refuse, garbage and rubbish generated by persons in noncommercial settings, and may include food wastes, paper, cardboard, bottles, metal cans, plastics, cloth, wood, tarp, Christmas trees, accumulations of leaves, grass or shrubbery cuttings and other refuse attending the care of lawns, shrubbery, vines, trees, and tree limbs. Residential solid waste shall not include discarded building materials, trees, brush and other vegetation resulting from the activities of building contractors, commercial tree trimmers or commercial lawn services, larger quantities of sod, dirt and trash from land clearing and other materials requiring special handling.
- (12) *Resource Recovery* means the buildings and equipment located at 2320 South Harding Street, Indianapolis, Indiana.
- (13) *Rubbish* means all nonputrescible solid wastes, such as cardboard, paper, plastic, metal or glass food containers, rags, waste metal, yard clippings, small pieces of wood, excelsior, rubbish, leather, crockery, and other waste materials that ordinarily accumulate around a home, business or industry.
- (14) *Salvaging* means the controlled removal of materials from solid wastes for utilization.
- (15) *Sanitary landfill* means an engineering method of disposing of refuse on land in a manner that protects the public health and environment by spreading the waste in thin layers, compacting it to the smallest practical volume, and covering it with compacted soil at the end of each working day.
- (16) *Single Family Residence* means a condominium ~~and~~ or a structure containing four or less residential units, unless it is a component of multiple structures that together constitute an apartment complex ~~operating under the same ownership.~~
- (17) *Solid waste* means all rubbish, garbage and refuse.

SECTION 2. The expressed or implied repeal or amendment by this ordinance or any other ordinance or any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if such remaining provisions can be given the effect intended by the council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

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

PROPOSAL NO. 183, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 183, 1995 on March 16, 1995. The proposal authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$13,000,000 for the Jewish Federation of Greater Indianapolis, Inc. (6701 Hoover Road, District 2). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor

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Coughenour, for adoption. Proposal No. 183, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Giffin, Schneider, Williams

Proposal No. 183, 1995 was retitled SPECIAL ORDINANCE NO. 6, 1995 and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 6, 1995

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its City of Indianapolis, Indiana Variable Rate Economic Development Revenue Bonds, Series 1995 (Jewish Community Campus Project) in the aggregate principal amount not to exceed Thirteen Million Dollars (\$13,000,000) (the "Bonds"), and approving and authorizing other actions in respect thereto.

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

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

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

WHEREAS, a representative of Jewish Federation of Greater Indianapolis, Inc, an Indiana not-for-profit corporation (the "Jewish Federation") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Jewish Federation in order to enable the Jewish Federation to undertake and complete the renovation of the Jewish Federation's existing facilities containing approximately 56,995 square feet and the construction of an approximately 84,449 square foot addition thereto located at 6701 Hoover Road, Indianapolis, Marion County, Indiana to create additional classrooms, storage, office facilities and new programming opportunities for early childhood education, infant/toddler care and youth programming, wellness facilities, as well as certain renovation for compliance with the Americans with Disabilities Act and with environmental laws plus office facilities for the Jewish Community Center Association of Indianapolis, Incorporated (the "JCCA") and the Jewish Federation; the acquisition of machinery, equipment and furnishings for use in the facility; and the acquisition, renovation, construction and installation of various site improvements at the facility (the "Project"). A substantial part of the Project will be leased to the JCCA; and

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

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction, renovation, installation and equipping of the Project by issuing its City of Indianapolis, Indiana Variable Rate Economic Development Revenue Bonds, Series 1995 (Jewish Community Campus Project), in the aggregate principal amount not to exceed Thirteen Million Dollars (\$13,000,000) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 15, 1995 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project which will be initially owned by the Jewish Federation complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to an Trust Indenture (the "Indenture") dated as of April 1, 1995 by and between the Issuer and Fifth Third Bank of Central Indiana, as Trustee (the "Trustee") in order to obtain funds to lend to the Jewish Federation pursuant to a Loan Agreement (the "Loan Agreement") dated as of April 1, 1995, between the Issuer and the Jewish Federation for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

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

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

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Purchase Agreement, Remarketing Agreement, Preliminary Official Statement, the form of the Bonds (hereinafter referred to collectively as the "Financing Documents") and the proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

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

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

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed Thirteen Million Dollars (\$13,000,000) for the purpose of procuring funds to loan to the Jewish Federation in order to finance or provide reimbursement for a portion of the cost of the Project which Bonds will be payable as to principal and interest solely from the payments made by the Jewish Federation pursuant to the Loan Agreement which will be entered into to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to John Nuveen & Co. Incorporated (the "Underwriter") that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the Underwriter at a price not less than ninety-eight percent (98.0%) of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest not to exceed fifteen percent (15.0%) per annum. The use of a Final Official Statement in substantially the same form as the Preliminary Official Statement approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

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SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the Underwriter, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 188, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 188, 1995 on March 27, 1995. The proposal, sponsored by Councillor Curry, appropriates \$10,000 to pay overtime expenses of the County Surveyor for work performed on behalf of IMAGIS financed by reducing other appropriations for the County Surveyor. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Curry, for adoption. Proposal No. 188, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Giffin, Williams

Proposal No. 188, 1995 was retitled FISCAL ORDINANCE NO. 31, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Ten Thousand Dollars (\$10,000) in the County General Fund for purposes of County Surveyor and County Auditor and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(j) and (b) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of County Surveyor and County Auditor to fund overtime personal services for additional work on behalf of IMAGIS.

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

SECTION 3. The following increased appropriation is hereby approved:

COUNTY SURVEYOR
1. Personal Services

COUNTY GENERAL FUND
8,695

COUNTY AUDITOR

1. Personal Services - fringes	<u>1,305</u>
TOTAL INCREASE	10,000

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

COUNTY SURVEYOR

3. Other Services and Charges
TOTAL INCREASE

COUNTY GENERAL FUND

<u>10,000</u>
10,000

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

PROPOSAL NO. 195, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 195, 1995 on March 21, 1995. The proposal transfers appropriations within the Prosecuting Attorney's office to correctly catalogue the nature of expenditures of \$76,500 associated with the Traffic Safety Program financed from the State and Federal Grants Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 195, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Giffin

Proposal No. 195, 1995 was retitled FISCAL ORDINANCE NO. 32, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Seventy-six Thousand Five Hundred Dollars (\$76,500) in the State and Federal Grants Fund for purposes of the Prosecuting Attorney and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(w) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Prosecuting Attorney to correctly identify the nature of expenses for the Traffic Safety Program.

SECTION 2. The sum of Seventy-six Thousand Five Hundred Dollars (\$76,500) 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:

PROSECUTING ATTORNEY

1. Personal Services
2. Supplies
TOTAL INCREASE

STATE AND FEDERAL GRANTS FUND

58,000
<u>18,500</u>
76,500

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

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PROSECUTING ATTORNEY

3. Other Services and Charges
TOTAL DECREASE

STATE AND FEDERAL GRANTS FUND

76,500
76,500

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

The President asked for consent to hear Proposal No. 207, 1995 at this time. Consent was given.

PROPOSAL NO. 207, 1995. The proposal changes the intersection controls at Bowline Drive and Skipjack Drive (District 5). Councillor Gilmer moved, seconded by Councillor Beadling, to strike. Proposal No. 207, 1995 was stricken by a unanimous voice vote.

PROPOSAL NO. 491, 1994. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 491, 1994 on March 29, 1995. The proposal, sponsored by Councillor Coughenour, amends the Code by authorizing a traffic signal at Madison Avenue and Preddy Drive (District 24). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Coughenour, for adoption.

Councillor Beadling said that Lowe's had stated in Committee that they would provide a monetary figure for their participation in this project. George Lynch, Executive Assistant, Department of Capital Asset Management, disagreed. He then stated that the attorneys are currently in negotiations as to Lowe's participation.

Councillor Borst stated that Lowe's did state that they would participate in funding this project. Mr. Lynch agreed and stated that no dollar amount has been discussed. Councillor Borst then urged the Council to pass this proposal.

Councillor O'Dell stated that the attorneys for Lowe's promised to provide a monetary amount by this Council meeting. He stated he will be voting against this proposal.

Councillors Coughenour and Dowden urged the Council to pass this proposal.

Proposal No. 491, 1994 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Black, Borst, Boyd, Brents, Coughenour, Curry, Gilmer, Golc, Gray, Jimison, Jones, Moriarty Adams, Mullin, Rhodes, Ruhmkorff, SerVaas, Shambaugh, Short, West, Williams

5 NAYS: Franklin, Hinkle, McClamroch, O'Dell, Smith

3 NOT VOTING: Dowden, Giffin, Schneider

Proposal No. 491, 1994 was retitled GENERAL ORDINANCE NO. 56, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 56, 1995

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>
46, Pg. 6	Madison Av, Preddy Dr	Madison Av	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>
46, Pg. 6	Madison Av, Preddy Dr	None	Signal

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

PROPOSAL NOS. 199-202 and 204-205, 1995. Councillor Gilmer discussed these proposals together. PROPOSAL NO. 199, 1995. The proposal authorizes stop signs for the Parc Estates North subdivision (District 18). PROPOSAL NO. 200, 1995. The proposal authorizes stop signs for Sunningdale Commons subdivision, Sections 1 and 2 (District 18). PROPOSAL NO. 201, 1995. The proposal authorizes stop signs for Hunters Green subdivision, Section 1 (District 1). PROPOSAL NO. 202, 1995. The proposal authorizes a multi-way stop at Boyd Avenue and North Avenue (District 20). PROPOSAL NO. 204, 1995. The proposal authorizes a multi-way stop at Camelback Drive and Buckskin Drive (District 4). PROPOSAL NO. 205, 1995. The proposal authorizes a multi-way stop at Butler Avenue and 13th Street (District 18). PROPOSAL NO. 206, 1995. The proposal authorizes a multi-way stop at Grace Terrace and La Habra Lane (District 5). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal Nos. 199-202 and 204-206, 1995 were adopted on the following roll call vote; viz:

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

Proposal No. 199, 1995 was retitled GENERAL ORDINANCE NO. 46, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1995

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 addition of the following, to wit:

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<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 22, Pg. 7	Fullerton Dr & Fullerton Cir	Fullerton Dr	Stop
BM 22, Pg. 7	Fullerton Dr & Fullerton Ct	Fullerton Dr	Stop
BM 22, Pg. 7	Fullerton Dr & Gradison Dr	Fullerton Dr	Stop
BM 22, Pg. 8	Gradison Dr & Gradison Ct	Gradison Dr	Stop
BM 22, Pg. 8	Gradison Dr & Gradison Cir	Gradison Dr	Stop
BM 22, Pg. 8	Gradison Dr & Napa Cir	Gradison Dr	Stop

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

Proposal No. 200, 1995 was retitled GENERAL ORDINANCE NO. 47, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 47, 1995

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 22, Pg. 6	Cressmoor Ct & Sunningdale Blvd	Sunningdale Blvd	Stop
BM 22, Pg. 6	Cressmoor Cir & Sunningdale Blvd	Sunningdale Blvd	Stop
BM 22, Pg. 6	Douglasston Ct & Sunningdale Blvd	Sunningdale Blvd	Stop
BM 22, Pg. 6	Douglasston Ct & Manita Dr	Douglasston Ct	Stop
BM 22, Pg. 12	Sunningdale Blvd & Gradison Cir	Sunningdale Blvd	Stop

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

Proposal No. 201, 1995 was retitled GENERAL ORDINANCE NO. 48, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 1995

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 addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 8, Pg. 2	Hunters Green Way & Hunters Green Ct	Hunters Green Way	Stop
BM 8, Pg. 2	Hunters Green Way & Hunters Green Cir	Hunters Green Way	Stop

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

Proposal No. 202, 1995 was retitled GENERAL ORDINANCE NO. 49, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 1995

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>
BM 39, Pg. 3	Norton Av & Boyd Av	Norton Av	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>
BM 39, Pg. 3	Norton Av & Boyd Av	None	Stop

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

Proposal No. 204, 1995 was retitled GENERAL ORDINANCE NO. 50, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 1995

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:

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<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
BM 5, Pg. 3	Camelback Dr & Buckskin Dr	Camelback Dr	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>
BM 5, Pg. 3	Camelback Dr & Buckskin Dr	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. 205, 1995 was retitled GENERAL ORDINANCE NO. 51, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 1995

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>
26, Pg. 9	Butler Av & I3th St	Butler Av	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>
26, Pg. 9	Butler Av & 13th 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. 206, 1995 was retitled GENERAL ORDINANCE NO. 52, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 1995

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>
7, Pg. 4	Grace Ter & La Habra Ln	La Habra Ln	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>
7, Pg. 4	Grace Ter & La Habra Ln	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 NOS. 209-211, 1995. Councillor Gilmer discussed these proposals together. PROPOSAL NO. 209, 1995. The proposal authorizes parking restrictions on the west side of Capitol Avenue from 38th Street to 21st Street (Districts 6, 9, 22). PROPOSAL NO. 210, 1995. The proposal authorizes parking restrictions on a segment of Delaware Street at Michigan Street (District 16). PROPOSAL NO. 211, 1995. The proposal authorizes parking restrictions on Michigan Street from Holmes Avenue to Miley Avenue, and on Michigan Street from Miley Avenue to White River Parkway West Drive (District 16). By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal Nos. 209-211, 1995 were adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Giffin, Gray, Mullin

Proposal No. 209, 1995 was retitled GENERAL ORDINANCE NO. 53, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 1995

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

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. 29-270, Parking prohibited during specified hours on certain days, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS AND HOLIDAYS
From 6 a.m. to 9 a.m.

On the West side of Capitol Avenue,
from 38th Street to 21st Street.

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

Proposal No. 210, 1995 was retitled GENERAL ORDINANCE NO. 54, 1995 and reads as follows:

April 10, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, 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:

On the West side of Delaware Street,
from the South curblin of Michigan Street,
to a point 106 feet South of Michigan Street

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

Proposal No. 211, 1995 was retitled GENERAL ORDINANCE NO. 55, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-271, Stopping, standing, or parking prohibited at designated locations on certain days and hours; and Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets.

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

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

ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS AND HOLIDAYS
From 6 a.m. to 9 a.m.

Michigan Street, on the South side,
from Holmes Avenue to Miley Avenue

SECTION 2. 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:

Michigan Street, on the South side,
from Miley Avenue to White River Parkway West Drive

**SPECIAL SERVICE DISTRICT COUNCILS
SPECIAL ORDERS - PUBLIC HEARING
POLICE SPECIAL SERVICE DISTRICT**

PROPOSAL NO. 122, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 122, 1995 on March 21, 1995. The proposal is an appropriation from the Police Service District Fund in the amount of \$679,842 for the Department of Public Safety, Police Division, to hire eighteen police officers financed by a U.S. Department of Justice grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:31 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hinkle, for adoption. Proposal No. 122, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: *Giffin, Mullin*

Proposal No. 122, 1995 was retitled POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1995 and reads as follows:

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 3, 1995

A POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1995 (Police Special Service District Fiscal Ordinance No. 2, 1994) appropriating an additional Six Hundred Seventy-nine Thousand Eight Hundred Forty-two Dollars (\$679,842) in the Police Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Service District Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to hire eighteen additional police officers funded under a U.S. Department of Justice grant.

SECTION 2. The sum of Six Hundred Seventy-nine Thousand Eight Hundred Forty-two Dollars (\$679,842) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY,</u> <u>POLICE DIVISION</u>	<u>POLICE SERVICE DISTRICT FUND</u>
1. Personal Services	<u>679,842</u>
TOTAL INCREASE	<u>679,842</u>

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

	<u>POLICE SERVICE DISTRICT FUND</u>
Unappropriated and Unencumbered Police Service District Fund	<u>679,842</u>
TOTAL REDUCTION	<u>679,842</u>

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

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

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL

PROPOSAL NO. 110, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 110, 1995 on April 6, 1995. The proposal is an appropriation from the Solid Waste Collection Service District Fund in the amount of \$1,630,000 for the Department of Metropolitan Development, Neighborhood and Development Services Division, to clean up demolished buildings under the Unsafe Building Program financed by the unappropriated and unencumbered balance in that fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:35 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor West, for adoption. Proposal No. 110, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Giffin, Gray, Mullin, Williams

Proposal No. 110, 1995 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995 and reads as follows:

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 1995

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the Solid Waste Collection Special Service District Annual Budget for 1995 (Solid Waste Collection Special Service District Fiscal Ordinance No. 2, 1994) appropriating an additional One Million Six Hundred Thirty Thousand Dollars (\$1,630,000) in the Solid Waste Collection Service District Fund for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division and reducing the unappropriated and unencumbered balance in the Solid Waste Collection Special Service District Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Neighborhood and Development Services Division to clean up demolished buildings under the Unsafe Building Program.

SECTION 2. The sum of One Million Six Hundred Thirty Thousand Dollars (\$1,630,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>NEIGHBORHOOD AND DEVELOPMENT SERVICES DIVISION</u>	<u>SOLID WASTE COLLECTION</u> <u>SERVICE DISTRICT FUND</u>
3. Other Services and Charges	1,630,000
TOTAL INCREASES	1,630,000

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

SOLID WASTE COLLECTION
SERVICE DISTRICT FUND

Unappropriated and Unencumbered
Solid Waste Collection Service District Fund
TOTAL REDUCTION

1,630,000
1,630,000

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

NEW BUSINESS

Councillor Beadling stated that she received a telephone call from a staff member of the Mayor's Office in Robinsville, North Carolina to notify this Council that on June 15, 1995 the State of North Carolina will rename a portion of Highway 129 the "Rodney Orr Memorial Way." This Council recognized Mr. Orr after his death last year and the North Carolina government emulated the honor.

Councillor Beadling then thanked Jack Koons, citizen, for reporting illegal sewage and the Hebrew National Company for a quick clean-up.

Robert G. Elrod, General Counsel, read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 94-Z-201, Council Proposal No. 254, 1995, at its next regular meeting on April 24, 1995, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 3.67 acres at 4057 East 56th Street from D-3 District to the D-5 classification to provide for eight two-family units.

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

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillor Beadling in memory of Mary E. Patterson; and
- (2) Councillor Hinkle in memory of Michael J. Hughes.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Mary E. Patterson and Michael J. Hughes. 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 10:33 p.m.

April 10, 1995

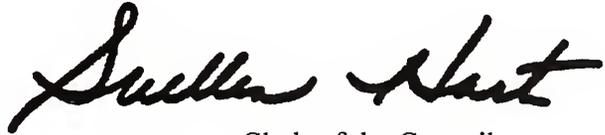
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 10th day of April, 1995.

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



President

ATTEST:



Clerk of the Council

(SEAL)