

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

**REGULAR MEETINGS
MONDAY, MAY 8, 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, May 8, 1995, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Hinkle introduced Denny Smith, owner of Paul E. Smith & Company, and his son, Andrew Paul. Councillor West recognized Aaron York, Sr., York's Quality Air Conditioning & Heating, who is the chairman of the Heating Ventilating & Cooling Contractors Board.

Councillor Shambaugh stated that on Saturday, April 29, 1995, Officer James Hornaday, a Speedway policeman, was shot in the line of duty. Mr. Shambaugh asked all the Councillors to sign a "get well card" that he was going to pass around.

Councillor Hinkle acknowledged the presence of Herman Greenwood, who lives in the Speedway area. Councillor Boyd also recognized Mr. Greenwood, who is the Democratic

candidate for Council in District 8. Mr. Boyd introduced the following Democratic candidates for Council: Jan Skirvin, District 24; Garland Graves, At-Large; Janet DeWitt, District 1; Fred Farrell, At-Large; Sandy Sigmund, District 20; Steve Talley, District 14; and Fred Gaddis, District 12.

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, on Monday, May 8, 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

April 25, 1994

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on Thursday, April 27, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 271, 1995, to be held on Monday, May 8, 1995, at 7:00 p.m., in the City-County Building.

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

May 4, 1995

Robert G. Elrod, General Counsel
241 City-County Building
200 East Washington Street
Indianapolis, IN 46204

Re: Zoning Ordinance Amendment 95-AO-6 (Wellfield Protection Zoning Ordinance)
(General Ordinance No. 57, 1995)

Dear Bob:

This letter is official notification that the Metropolitan Development Commission, at its May 3, 1995 meeting, considered Zoning Ordinance Amendment 95-AO-6 (General Ordinance No. 57, 1995) as amended and adopted by the City-County Council on April 24, 1995. The Commission, by a vote of 9-0, did ratify and adopt the Council's amended version of the legislation.

Sincerely,
s/ J. June Dugan
Administrator
Neighborhood and Development Services Division

May 8, 1995

May 1, 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 ordinances:

GENERAL ORDINANCE NO. 59, 1995 - amending Sec. 536-201 of the Revised Code to revise the exemptions permitting certain construction activities in floodways

GENERAL ORDINANCE NO. 60, 1995 - authorizes traffic signals at Senate Boulevard and the entrance to Methodist Hospital (District 22)

GENERAL ORDINANCE NO. 61, 1995 - authorizes stop signs at Oriental Street and 11th Street (District 22)

GENERAL ORDINANCE NO. 62, 1995 - authorizes a multi-way stop at Arsenal Avenue and 12th Street (District 22)

GENERAL ORDINANCE NO. 63, 1995 - authorizes a multi-way stop at Briarwood Drive and Sylvan Ridge Drive (District 7)

GENERAL ORDINANCE NO. 64, 1995 - changes the intersection controls at Park Avenue and 44th Street (District 6)

GENERAL ORDINANCE NO. 65, 1995 - reduces the speed limit on 86th Street from Lafayette Road to I-465 (District 1)

GENERAL ORDINANCE NO. 66, 1995 - increases the speed limit on 46th Street from Raceway Road to McCurdy Road (District 1)

FISCAL ORDINANCE NO. 35, 1995 - a new appropriation of \$10,955 to pay for capital items needed in the kitchen of the Marion County Children's Guardian Home financed by reducing the County General Fund balance

FISCAL ORDINANCE NO. 36, 1995 - a new appropriation of \$170,000 for landscaping, tree trimming, cart path guard rails, a pedestrian bridge and other miscellaneous improvements financed from Park General/Golf Fund balances

FISCAL ORDINANCE NO. 39, 1995 - a transfer of appropriations of \$15,561 to finance the preparation by Community Corrections of a comprehensive report on youth identified as being victims or perpetrators of violence financed by reducing other appropriations from the State and Federal Grants Fund

FISCAL ORDINANCE NO. 40, 1995 - an appropriation of \$59,168 to pay outstanding invoices and cover the shortfall in personal services for the Marion County Healthcare Center financed by transferring other appropriations

GENERAL RESOLUTION NO. 1, 1995 - affirms the City's intent to comply with the minimum standards of the National Flood Insurance Program

SPECIAL RESOLUTION NO. 28, 1995 - recognizing Indiana's "Mr. Basketball," Damon Frierson

SPECIAL RESOLUTION NO. 29, 1995 - recognizing the 25th Anniversary of Public Broad-casting in Indianapolis

SPECIAL RESOLUTION NO. 31, 1995 - recognizing the Indiana Pacers and the Landmark to Peace

SPECIAL RESOLUTION NO. 32, 1995 - recognizing the National Day of Prayer

SPECIAL RESOLUTION NO. 33, 1995 - supporting the AMTRAK Beech Grove facility

SPECIAL RESOLUTION NO. 34, 1995 - an Inducement Resolution for Willowbrook Park, L.P., a to-be-formed Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 385 unit multi-family residential rental project located at 4803 Round Lake Road on approximately 28.44 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 7)

SPECIAL RESOLUTION NO. 35, 1995 - authorizes the Department of Capital Asset Management to lease its Civil Engineering Lab and certain equipment to Snell Environmental Group, Inc.

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 April 24, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

Councillor Ruhmkorff stated that last year the council recognized Melanie Wood, a brilliant math student at Warren Township's Stonybrook Middle School. As a follow-up Ms. Wood has just placed 10th in the National Mathcounts Contest and earned a first place in the State Teachers of Mathematics Geometry Contest. She has taken the S.A.T. and scored a perfect 800 in the math section. She is only fourteen years old and an eighth grader. Councillor Ruhmkorff said that she is very proud to recognize Ms. Wood again.

PROPOSAL NO. 335, 1995. This proposal, sponsored by Councillors Coughenour and Williams, recognizes Municipal Government Week. Councillor Coughenour read the resolution and moved for its adoption. Councillor Williams seconded the motion, and Proposal No. 335, 1995 was adopted by unanimous voice vote.

Proposal No. 335, 1995 was retitled SPECIAL RESOLUTION NO. 36, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1995

A SPECIAL RESOLUTION recognizing Municipal Government Week.

WHEREAS, Indianapolis was incorporated in 1832 with the intention of meeting the needs of Indianapolis citizens; and

WHEREAS, municipal government is the closest form of government to the people and is best able to meet the people's needs; and

WHEREAS, in order to thrive, it is vital to a city to foster understanding between local officials and the citizens which they serve; and

WHEREAS, municipal government officials play a key role in the democratic process in America; and

WHEREAS, Municipal Government Week is an important time to recognize the critical role played by city government in our lives; and

WHEREAS, the Governor has proclaimed the week of May 7-13 as Municipal Government Week; and

May 8, 1995

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Indiana that they can shape and influence this branch of government which is closest to the people; and

WHEREAS, municipal government provides the essential public services on which citizens rely; 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 does hereby participate in Municipal Government Week with the passage of this resolution.

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.

Councillor Gilmer asked for a moment of silence in recognition of the 50th anniversary of V-E Day.

PROPOSAL NO. 215, 1995. The proposal reappoints Claudia Prosser to the Indianapolis City-Market Corporation Board. PROPOSAL NO. 268, 1995. The proposal reappointing Ray Battey to the City-County Administrative Board. PROPOSAL NO. 272, 1995. The proposal reappoints William B. Powers to the Citizens Police Complaint Board. PROPOSAL NO. 274, 1995. The proposal reappoints Fred G. Johnston, Jr. to the Board of Ethics. Councillor McClamroch read the proposals and moved for their adoption. Councillor Short seconded the motion, and they passed by a unanimous voice vote.

Proposal No. 215, 1995 was retitled COUNCIL RESOLUTION NO. 48, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 1995

A COUNCIL RESOLUTION reappointing Claudia Prosser 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:

Claudia Prosser

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. 268, 1995 was retitled COUNCIL RESOLUTION NO. 49, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 1995

A COUNCIL RESOLUTION reappointing Ray Battey to the City-County Administrative 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 City-County Administrative Board, the Council appoints:

Ray Battey

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 his respective successor is appointed and has qualified.

Proposal No. 272, 1995 was retitled COUNCIL RESOLUTION NO. 50, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 1995

A COUNCIL RESOLUTION reappointing William B. Powers to the Citizens Police Complaint Board.

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

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

William B. Powers

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. 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. 274, 1995 was retitled COUNCIL RESOLUTION NO. 51, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 1995

A COUNCIL RESOLUTION reappointing Fred G. Johnston, Jr. to the Board of Ethics.

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 Board of Ethics, the Council appoints:

Fred G. Johnston, Jr.

SECTION 2. The appointment made by this resolution is for a term ending April 13, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 307, 1995. Introduced by Councillors Smith and Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay for salary increases for the Information Services Agency financed by revenues from the Information Services Internal Services Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 308, 1995. Introduced by Councillors Smith and Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay salary increases for the County Assessor and the nine Township Assessors financed by revenues from the Property Reassessment Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 309, 1995. Introduced by Councillors Smith and Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay salary increases for all the County agencies financed by revenues from the County General Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 310, 1995. [Withdrawn]

PROPOSAL NO. 311, 1995. Introduced by Councillors Smith and Rhodes. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation to pay salary increases for the Metropolitan Emergency Communications Agency financed by revenues from the Metropolitan Emergency Communications Agency Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 312, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which is an appropriation of \$108,000 for the Office of Youth and Family Services to provide services for families or individuals at risk of being homeless financed by additional federal grants"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 313, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which appropriates an additional \$2,814,548 in Community Block Grant funds for redevelopment block grant activities financed by additional grants"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 314, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE which appropriates an additional \$2,814,548 of Community Development Block Grant funds for the Redevelopment General Fund for block grant activities: economic development, public services, housing, public improvements and support services financed by grant funds"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 315, 1995. Introduced by Councillors Schneider, McClamroch and Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION which appoints James E. Logsdon to the Indianapolis-Marion County Public Library Board;" and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 316, 1995. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes intersection controls for the Robertson Village subdivision (District 2)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 317, 1995. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes stop signs at 44th Street and Paula Lane East Drive (District 2)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 318, 1995. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes multi-way stops at

Deer Creek Avenue and Deer Creek Drive and at Deer Creek Drive, McCarty Court and Callan Drive (District 9)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 319, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at 44th Street and Park Avenue (District 6)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 320, 1995. Introduced by Councillor Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at Washington Boulevard and 32nd Street (Districts 6, 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 321, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at 53rd Street and Guilford Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 322, 1995. Introduced by Councillors Rhodes and Black. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi way stop at 51st Street and Park Avenue (District 7)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 323, 1995. Introduced by Councillor Mullin. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at Delaware Street and Griffin Road (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 324, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at Wallace Avenue and 13th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 325, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which authorizes a multi-way stop at Sleet Drive and Somers Drive (District 23)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 326, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which prohibits parking on Dr. Martin Luther King Jr. Street from 11th Street to 12th Street on the east side and from 10th Street to 12th Street on the west side (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 327, 1995. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which removes the parking

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restrictions on the west side of Delaware Street from 28th Street to 32nd Street (District 22)"; and the President referred it to the Capital Asset Management Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 328-329, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 4, 1995." The Council did not schedule Proposal Nos. 328-329, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 328-329, 1995 were retitled REZONING ORDINANCE NOS. 67-68, 1995 and are identified as follows:

REZONING ORDINANCE NO. 67, 1995. 92-Z-109A PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 1.

8701 and 8702 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.
RESIDENTS OF THE NORTHWEST AREA OF PIKE TOWNSHIP request the rezoning of 221.0 acres, being in the D-1, D-2 and DA Districts, to the D-S classification to conform the zoning to the existing developments.

REZONING ORDINANCE NO. 68, 1995. 92-Z-109B PIKE TOWNSHIP.
COUNCILMANIC DISTRICT # 1.

8702 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.
RESIDENTS OF THE NORTHWEST AREA OF PIKE TOWNSHIP request the rezoning of 38 acres, being in the D-2 district, to the D-1 classification to conform the zoning to the existing developments.

PROPOSAL NOS. 330-331, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 4, 1995." The Council did not schedule Proposal Nos. 330-331, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 330-331, 1995 were retitled REZONING ORDINANCE NOS. 69-70, 1995 and are identified as follows:

REZONING ORDINANCE NO. 69, 1995. 95-Z-35 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 24.

4784 EAST EDGEWOOD AVENUE (approximate address), INDIANAPOLIS.
TIMBER GROVE, INC., by Michael J. Kias, requests the rezoning of 19.99 acres, being in the D-A district, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 70, 1995. 94-Z-43 (Amended) LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 5.

11875 PENDLETON PIKE (approximate address), LAWRENCE.
ACMG, INC., by Edward Williams, requests the rezoning of 5.32 acres, being in the C-3 and D-A districts, to the C-3 classification to provide for commercial development.

PROPOSAL NOS. 332-334, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 4, 1995."

Councillor Smith made the following motion:

Mr. President:

I move that Proposal No. 333, 1995 (Rezoning Case 95-Z-30) be scheduled for a hearing before this Council at its next regular meeting on May 22, 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.

This motion passed by a unanimous voice vote. Proposal No. 333, 1995 is identified as follows:

95-Z-30 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.
7601 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.
CROSSMAN COMMUNITIES PARTNERSHIP, by Stephen D. Mears, requests the rezoning of 237.77 acres, being in the I-2-S(FF) and I-4-S districts, to the D-3(FF) classification to provide for residential development.

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

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 95-Z-30, Council Proposal No. 333, 1995, at its next regular meeting on May 22, 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 237.77 acres at 7601 East Thompson Road from I-2-S(FF) and I-4-S to D-3(FF) to provide for residential development.

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.

The Council did not schedule Proposal Nos. 332 and 334, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 332 and 334, 1995 were retitled REZONING ORDINANCE NOS. 71-72, 1995 and are identified as follows:

REZONING ORDINANCE NO. 71, 1995. 95-Z-7 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 21.
1106, 1108, 1110, 1116-1118 PROSPECT STREET and 1033 SHELBY STREET (approximate address), INDIANAPOLIS.
NORLE INVESTMENTS, INC., by Joseph M. Scimia, requests the rezoning of 0.42 acre, being in the I-3-U district, to the C-3C classification to conform zoning to existing commercial uses.

REZONING ORDINANCE NO. 72, 1995. 95-Z-23 WASHINGTON TOWNSHIP.
COUNCILMANIC DISTRICT # 4.
5702 ALLISONVILLE ROAD (approximate address), INDIANAPOLIS.
JAMES R. and SUSAN L. RUGGLES, by Steven C. Robinson, request the rezoning of 5.2 acres, being in the D-A district, to the D-1 classification to provide for single-family residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 69, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 69, 1995 on January 25, 1995. The proposal is the transfer of \$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. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:39 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 69, 1995 was adopted on the following roll call vote; viz:

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

2 NOT PRESENT: Giffin, Golc

Proposal No. 69, 1995 was retitled FISCAL ORDINANCE NO. 41, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Three Hundred Ten Thousand Dollars (\$310,000) in the County General Fund for purposes of the County Auditor 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 transfer of funds 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 purposes of funding the 1994 shortfall in the Supplemental Public Defender Fund.

SECTION 2. The sum of Three Hundred Ten Thousand (\$310,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>SUPPLEMENTAL PUBLIC DEFENDER FUND</u>
1. Transfer IN	<u>310,000</u>
TOTAL INCREASE	310,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	
1. Transfer OUT	<u>310,000</u>
TOTAL REDUCTION	310,000

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, is an appropriation of \$21,175 for the Superior Court, Criminal Division, Room Five, to fund a clerk's salary financed from the County General Fund balances. Councillor Dowden asked for consent to postpone Proposal No. 115, 1995 until June 12, 1995. Consent was given.

PROPOSAL NO. 198, 1995. The proposal, sponsored by Councillor Borst, is an appropriation for \$197,600 for the Court Administrator to purchase 38 walk-through metal detectors and up to 38 hand wands for use by those courts and agencies that desire security financed from the County General Fund balances. Councillor Curry asked for consent to return Proposal No. 198, 1995 to Committee. Consent was given.

PROPOSAL NO. 271, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 271, 1995 on April 26, 1995. The proposal, sponsored by Councillor Borst, is an appropriation of \$240,000 for new laboratory instrumentation and supplies and to provide various travel/training fees to upgrade Forensic Services Agency's capability in drug and drug-related analysis financed by additional grant revenues of the State and Federal Grants Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:47 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 271, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 271, 1995 was retitled FISCAL ORDINANCE NO. 42, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994 appropriating an additional Two Hundred Forty Thousand Dollars (\$240,000) in the State and Federal Grants Fund for purposes of the Forensic Service Agency's 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 I.02(y) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Forensic Service Agency to acquire new laboratory instrumentation, laboratory supplies, and cover various travel/training fees to upgrade the agency's capability in drug and drug related analysis.

SECTION 2. The sum of Two Hundred Forty Thousand Dollars (\$240,000) 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>FORENSIC SERVICES AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	30,000
3. Other Services and Charges	27,000
4. Capital Outlay	<u>183,000</u>
TOTAL INCREASE	240,000

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants	<u>240,000</u>
TOTAL REDUCTION	240,000

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

SPECIAL ORDERS - UNFINISHED BUSINESS

[Clerk's Note: In Councillor Giffin's absence, Councillor Rhodes gave the Parks and Recreation Committee reports.]

PROPOSAL NO. 63, 1995. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 63, 1995 on April 24, 1995. The proposal repeals the White River Greenway Development Board and establishes an Indianapolis Greenways Development Committee. By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Jones, for adoption.

Councillor Schneider asked Ray Irvin, Administrator of Greenways, Indianapolis Department of Parks and Recreation, if this agency will stand in the way of further development in Marion County. Mr. Irvin replied that it is not the intent of the Greenways Committee to be a land use or zoning board. It is an advisory committee to the Parks Board. Councillor Black questioned if this will be a bi-partisan board. Mr. Irvin replied that the members will be appointed by the Council, the Mayor, and the Parks Board. Councillor Gilmer asked if most of the land for future trailways is privately owned. Mr. Irvin replied that over ninety percent of the land for future trail development is public land.

Proposal No. 63, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT PRESENT: Giffin, Golc

Proposal No. 63, 1995 was retitled GENERAL ORDINANCE NO. 67, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1995

A GENERAL ORDINANCE amending Chapter 261 of the Revised Code of the Consolidated City and County to establish an Indianapolis Greenways Development Committee and repealing Chapter 282 of the Revised Code of the Consolidated City and County.

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

SECTION 1. Chapter ~~282~~ 261 of the Revised Code of the Consolidated City and County is hereby amended by adding ~~Article III~~ Sec. 261-31 through Sec. 261-41 to read as follows:

Sec. ~~282~~261-31. ~~Board~~ Committee established.

There is hereby ~~created~~ established the Indianapolis Greenways Development ~~Board~~ Committee.

Sec. ~~282~~261-32. Objective.

The Indianapolis Greenways Development ~~Board~~ Committee shall counsel and advise the Board of Indianapolis Department of Parks and Recreation ~~Board~~ to encourage use, preservation and improvement of the Indianapolis Greenways with regard to present and future operations, development, recreation and its natural environment.

Sec. ~~282~~261-33. Duties.

The Indianapolis Greenways Development ~~Board~~ Committee shall perform the following duties:

- (1) ~~To~~ Request grants and in-kind support from the White River Greenways Foundation, Inc., and other support organizations for selected greenways-related projects;

- (2) ~~To R~~review greenways projects, guidelines and grants, and provide comments to the Indianapolis Department of Parks and Recreation, the Indianapolis Department of Parks and Recreation Board and to other appropriate agencies and organizations;
- (3) ~~To A~~assist in identifying appropriate groups for adoption of segments of the Indianapolis greenways, matching appropriate adoptive groups to the interest and needs of neighborhoods and communities for stewardship of adoptive areas;
- (4) ~~To A~~assist in determining and developing appropriate recreation and event usage guidelines for the Indianapolis greenways system; and
- (5) ~~To A~~advocate and promote the Indianapolis greenways system based upon the Indianapolis Greenways Master Plan.

Sec. ~~282~~261-34. Members.

~~(a) Appointments to the board~~ The committee shall be consist of fifteen (15) voting members and one (1) non-voting member appointed as follows:

- (1) Five (5) ~~voting~~ members of the ~~board~~ committee shall be appointed by the mayor ~~of the City of Indianapolis, one of whom shall be designated as vice-chairperson.~~
- (2) Five (5) ~~voting~~ members of the ~~board~~ committee shall be appointed by the city-county council, one of whom shall be designated as secretary.
- (3) Four (4) ~~voting~~ members of the committee shall be appointed by the board of Indianapolis Department of Parks and Recreation board, one of whom shall be designated as chairperson.
- (4) One (1) ~~voting~~ member of the committee shall be appointed by the director of the Indianapolis Department of Parks and Recreation to represent a not-for-profit local greenways 501(c)(3) organization.
- (5) The director of the Indianapolis Department of Parks and Recreation or his or her designee shall ~~serve~~ as be a non-voting member.

~~(b) A board~~ committee member who is eligible to vote but who attends fewer than fifty (50) percent of the regular meetings during the member's appointment shall not be eligible for re-appointment to the ~~board~~ committee for twelve (12) months after the expiration of his or her term.

Sec. ~~282~~ 35. ~~Qualifications.~~

~~Board membership eligibilities are:~~

~~(c) Only persons who are~~

~~(1) Members must be at least eighteen (18) years of age, and~~

~~(2) Members shall be residents of Marion County who are interested in the objectives of the Indianapolis greenways development board shall be eligible for membership on the committee.~~

~~(3d) Voting m~~Members shall represent the interests of the community, businesses and ~~at least one (1) of the greenway corridors, identified as: property owners.~~

~~(e) At least one member appointed by each appointing authority shall represent one of the following greenway corridors:~~

B & O Rail Corridor
Buck Creek
Crooked Creek
Eagle Creek
Fall Creek
Grassy Creek

May 8, 1995

Indianapolis Water Company Canal
Indian Creek
Monon Rail Corridor
Mud Creek
Pleasant Run
White Lick Creek
White River

~~(4) One (1) voting member shall represent a not-for-profit local greenways 501(c)(3) organization.~~

Sec. ~~282261-3635~~. Terms of appointment.

~~(2a) In the making of initial appointments, three (3) of the mayor's appointees shall be for a two (2) year term, two (2) of the city-county council's appointees shall be for a two (2) year term, and two (2) of the parks and recreation board's appointees shall be appointed for a two (2) year term ending December 31, 1997. All other initial appointments shall be appointed for terms ending December 31, 1999.~~

~~(4b) A board~~ After the initial appointments members shall be appointed for a term of four (4) years, and shall serve at the pleasure of the ~~appointer~~ appointing authority.

~~(3c) A board committee~~ member may resign from the ~~board committee~~ at any time.

~~(4d) The board committee~~ shall request the authority who appointed any member who does not attend fifty (50) percent of the ~~board committee~~ meetings in any calendar year to have that member replaced.

Sec. ~~282261-36~~. Vacancies.

~~(4a) Vacancies occurring on the board committee, either by voluntary or involuntary resignation, incapacity, expulsion or death, shall be filled in a timely manner by the authority who appointed the member whose vacancy must be filled.~~

~~(2b) A board committee member appointed to replace another board member before completion of his or her term fill a vacancy shall be appointed for serve the remainder of the unexpired term of the member being replaced.~~

Sec. ~~282261-37~~. Officers.

~~(4a) The officers of the board committee shall be a chairperson, a vice-chairperson and a secretary.~~

~~(2) Only voting members of the board may be an officer.~~

~~(3) No board member may hold more than one office at a time.~~

Sec. ~~282261-38~~. Annual elections.

~~(1) Election of officers shall occur at the first regular meeting of the board each calendar year.~~

~~(2) The Indianapolis Department of Parks and Recreation board shall nominate the chairperson.~~

Sec. ~~282261-39~~. Officers' Terms of office.

~~(1) Each officer shall be elected to serve a one (1) year term upon a simple majority vote of the voting board members who are present and voting.~~

~~(2) Balloting for each office shall be by written secret ballot unless only one nomination is made for that office.~~

~~(3) Officers shall assume the duties of that office immediately upon election.~~

~~(4) Each officer shall be limited to two (2) consecutive terms in any specific office.~~

Sec. ~~282261-40~~. Removal of officers.

~~(1) Upon proper notification to the concerned officer, and timely notification via documentable means of appropriate action to be taken, the board may remove and replace any officer by a simple majority vote to the total board membership by written ballot at any regularly scheduled meeting.~~

~~(2) While appropriate action as described above may be taken on an as-needed basis, such action will be deemed necessary if an officer misses three (3) consecutive meetings without adequate cause.~~

Sec. ~~282261-41~~. Officer vacancies.

~~(1b) A vacancy in any office shall be filled by an election at any scheduled board meeting the appointing authority under Sec. 261-34.~~

~~(2) The officer shall be elected by a simple majority of the members present and voting, and shall serve the remainder of the predecessor's term.~~

Sec. ~~282261-4238~~. Officer duties.

~~(1a) The chairperson:~~

~~(a1) The chairperson shall preside over all board committee meetings.~~

~~(b2) The chairperson shall be recognized as the chief representative of the board committee, but when speaking on the board's committee's behalf, shall express only the positions specifically determined by the board committee.~~

~~(2b) The vice-chairperson:~~

The vice-chairperson shall assume the responsibilities of the chairperson and/or the secretary in either's absence.

~~(3c) The secretary:~~

~~(a1) The secretary, with the assistance of an employee of the Indianapolis department of parks and recreation appointed by the director, will keep a true and complete record of the minutes of each board committee meeting.~~

~~(b2) The secretary shall sign the minutes and make them available for inclusion in the next general mailing to all board committee members.~~

~~(e3) The secretary shall be responsible for keeping all board committee members apprised of the actions and official positions taken by the board committee.~~

~~(d4) The secretary shall keep a current roll of all members, which shall consist of member's names, current addresses and telephone numbers and appointing authority.~~

~~(e5) The secretary shall keep attendance records of members at board committee meetings, and such attendance records shall be presented to the board committee at the last scheduled regular meeting of each calendar year.~~

Sec. ~~282261-4339~~. Meetings.

~~(1a) Regular meetings —board meetings of the committee shall be held regularly at least once monthly.~~

~~(2b) Special meetings —special meetings of the committee may be called by the executive committee.~~

~~(3c) Notice —a A written notice of the location, date, time and agenda of each meeting shall be mailed to each board member at least two (2) days forty-eight hours (excluding Saturdays, Sundays and holidays) prior to a scheduled regular meeting date, and ten (10) days before a special meeting date.~~

Sec. ~~282261-4340~~. Quorum and voting.

~~(1a) The presence of nine (9) voting members shall constitute a quorum at any called meeting.~~

(2b) Each voting member shall be entitled to one (1) vote on each matter submitted for the board's committee's determination.

(3c) All voting must be in person, and ~~not by~~ no proxy shall be recognized.

(4d) A quorum must exist for any valid vote. If a quorum is present, the vote of a majority of the voting members present shall be deemed action by the committee ~~board as a whole~~. A tie vote shall not be deemed action taken by the committee ~~board as a whole~~.
Sec. ~~282261-4341~~. Subcommittees.

(4a) Executive subcommittee:

(a1) The executive committee shall be comprised of the three (3) officers of the board.

(b2) The executive subcommittee shall provide for continuity between meetings of the ~~board~~ committee and may take any appropriate action as necessary.

(e3) To be valid as an expression of the ~~board~~ committee, actions of the executive subcommittee must be ratified by a majority vote of the ~~board~~ committee at its next meeting.

(b) The ~~board~~ committee may designate other subcommittees ~~with and delegate to such subcommittee~~ such responsibilities and powers of the committee as the ~~board~~ committee may specify.

SECTION 2. Chapter 282 of the Revised Code of the Consolidated City and County is hereby amended by deleting Article III as follows:

~~Sec. 282-31. Legislative intent.~~

~~White River flows for thirty-one and three-tenths (31.3) miles through the heart of the county, thus it is beneficial for the citizens of this community that White River and its banks become a source of beauty and pride. For the past three (3) years a White River improvement task force has worked to inventory the river, help conduct a series of successful riverbank cleanups and has labored to develop a strategic long range plan to transform the river into an object of good health, safety, beauty and pride. The council desires to assist this group of public spirited citizens by creating this board.~~

~~Sec. 282-32. Board created.~~

~~There is hereby created a White River greenway development board which initially shall be a continuation of the committee existing pursuant to council Special Resolution 119, 1991.~~

~~Sec. 282-33. Powers and duties.~~

~~The board shall continue the work of the previous White River improvement task force, shall be eligible to contract for public and private funds to help accomplish its strategic goal of maintaining and improving White River within the county, may enter into mutually beneficial nonfinancial agreements with government agencies and with private entities, and shall encourage and help organize others for action to improve White River.~~

~~Sec. 282-34. Membership and officers.~~

(a) ~~The board shall be comprised of sixteen (16) members: fourteen (14) members appointed annually by the city-county council to serve at its pleasure, one (1) appointed by the director of the department of public works and one (1) appointed by the director of the department of parks and recreation.~~

(b) ~~The board shall elect appropriate officers from among its members.~~

~~Sec. 282-35. Cooperation with agencies.~~

~~The board shall cooperate with all affected and interested agencies, including the city department of public works and the city department of parks and recreation, which shall likewise afford the White River greenway development board all due assistance within their staff and budget limitations.~~

~~Sec. 282-36. Reports.~~

~~The board shall prepare an annual report of its activities and other relevant information by January thirty-first to the mayor, the city department of public works, the city department of parks and recreation and to the city-county council.~~

~~Sec. 282-37. Sunset.~~

~~The board established by this article shall cease to exist after January 31, 1998, unless the city-county council affirmatively acts to continue the board.~~

SECTION 3. The express or implied repeal or amendment by this ordinance of any other ordinance or part of 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 4. Should any provision (section, paragraph, sentence, clause, or any other portion) 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 and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 191, 1995. Councillor Rhodes reported that the Parks and Recreation Committee heard Proposal No. 191, 1995 on April 24, 1995. The proposal amends public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Rhodes moved, seconded by Councillor Gray, for adoption. Proposal No. 191, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT PRESENT: Giffin, Golc

Proposal No. 191, 1995 was retitled GENERAL ORDINANCE NO. 68, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 68, 1995

A GENERAL ORDINANCE amending the section of the Revised Code concerning the Resources Development Division of the Indianapolis Department of Parks and Recreation.

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

SECTION 1. Sec. 241-501 of the "Revised Code of the Consolidated City and County" be, and is hereby amended by deleting the language stricken-through and adding the language underlined to read as follows:

Sec. 241-501. Resources development division.

The resources development division shall:

- (1) Coordinate all property transactions for the park district;
- (2) Provide stewardship of natural resource areas within the park district;

- (3) Oversee the administration of all grants;
- (4) Manage the planning, design and construction of parks and facilities and administer the capital improvement program and the resource development model; and
- (5) Develop and manage the Indianapolis Greenways System; and
- (6) ~~Be responsible that~~ Before any city-owned park land (defined herein as real estate which is currently being used as a public park or is designated for such use in the comprehensive plan approved by the Parks Board, but excluding park land legally designated as surplus property) is disposed of ~~or released~~ for any purpose other than its intended use as a park, there shall be a special notice and mailing to residents in the area around the park, and ~~that a special public hearing shall be held~~ ~~be required~~ with no less than four (4) weeks advance notice to citizens in the park's vicinity. Such notice shall be given by first class mail addressed to the owners of real estate adjacent to the park in question to a depth of two ownerships or six hundred feet, which ever is less, as determined from the records of the township assessor, and by publication as required under IC 5-3-1-2(b). The foregoing notice and public hearing requirements shall not apply, however, to disposals of city-owned park land as a result of the following:

(a) Grants of right-of-ways, easements, rights of entry, use permits, licenses and the like;

(b) Exchanges with or transfers to other governmental entities; or

(c) Leases.

SECTION 2. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does to 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 (section, paragraph, sentence, clause, or any other portion) 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 and only if such remaining provisions can, without the invalid provision or provisions, 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 effect from and after its passage by the Council and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 98, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 98, 1995 on April 25, 1995. The proposal determines the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Metropolitan Development ("DMD"). Councillor West explained that DMD needs the additional space for its construction inspectors. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Hinkle, for adoption.

Councillor Moriarty Adams asked how many employees will be moving to 600 North Sherman Drive. Councillor West replied that the move involves twenty-seven employees.

Councillor Hinkle asked Elaine Bedel, Director, DMD, when the realignment of personnel and the move will be completed. Ms. Bedel said that the process should be completed by the end of June. The DMD inspection group has moved out to 600 North Sherman and is working closely with Department of Capital Asset Management ("DCAM") inspectors already located there. Councillor Hinkle asked when these restructuring changes will come before

the Council for official ratification. Ms. Bedel said that an ordinance will be introduced prior to budget. Councillor Hinkle said there should be public debate about this change. He does not question the change, but questions the process.

Councillor Beadling stated that she does not believe that field inspectors need individual office space.

Councillor Coughenour voiced her support of this move.

Councillor Short called for the question. Proposal No. 98, 1995 was adopted on the following roll call vote; viz:

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

1 NAY: Borst

2 NOT PRESENT: Giffin, Golc

Proposal No. 98, 1995 was retitled SPECIAL RESOLUTION NO. 37, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1995

A SPECIAL RESOLUTION determining the need to lease of office space at Thomson Consumer Electronics, 600 North Sherman Drive, Indianapolis, IN 46201, for the Department of Metropolitan Development.

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

SECTION 1. The City-County Council, pursuant to IC 36-I-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of the Department of Metropolitan Development is necessary.

SECTION 2. The property located at 600 North Sherman Drive, Indianapolis, IN 46201, is owned by Thomson Consumer Electronics.

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

PROPOSAL NO. 163, 1995. This proposal, sponsored by Councillors Shambaugh and Dowden, repeals Sec. 17-192 of the Code so as to require licensing of amusement machines located on premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995. Councillor Rhodes moved, seconded by Councillor Shambaugh, to postpone Proposal No. 163, 1995 until May 22, 1995. This motion passed by unanimous voice vote.

PROPOSAL NO. 266, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 266, 1995 on April 27, 1995. The proposal authorizes the City by and through its Department of Administration to transfer one 1970 Maxium Pumper to the Indianapolis Fire Buffs and Fire Department Museum, Inc. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 266, 1995, as amended, was adopted on the following roll call vote; viz:

May 8, 1995

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

0 NAYS:

1 NOT VOTING: *Franklin*

2 NOT PRESENT: *Giffin, Golc*

Proposal No. 266, 1995, as amended, was retitled SPECIAL RESOLUTION NO. 38, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1995

A SPECIAL RESOLUTION authorizing the City of Indianapolis by and through its Department of Administration to transfer one (1) 1970 Maxium Pumper (Serial No. 2739; City Asset No. 011282) to the Indianapolis Fire Buffs and Fire Department Museum, Inc.

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

SECTION 1. Pursuant to Section 2-516 of the Code of Indianapolis and Marion County, Indiana, which requires the City-County Council to approve the transfer of personal property which was originally valued at Five Thousand Dollars (\$5,000.00) or more, the City-County Council authorizes the transfer of a 1970 Maxium Pumper (Serial No. 2739; City Asset No. 011282) by the Department of Administration to the Indianapolis Fire Buffs and Fire Department Museum, Inc. The transfer shall be at the terms and conditions specified in the Agreement attached to this Special Resolution as Exhibit A.

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

NEW BUSINESS

Councillor Jimison stated in light of the May 2nd primary results, the Democrats voice their appreciation to Councillor Beadling for her service on the Council and offer congratulations to Councillor Hinkle.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillor Shambaugh in memory of Noble G. Cope; and
- (2) Councillor Mullin in memory of James B. Lentz.

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 Noble G. Cope and James B. Lentz. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:30 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 8th day of May, 1995.

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

Bert SerVaas

President

ATTEST:

Sullen Hart

Clerk of the Council

(SEAL)