

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETINGS
MONDAY, MAY 22, 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 7:04 on Monday, May 22, 1995 with Councilor SerVaas presiding.

Councilor Shambaugh introduced Larry Hamm, pastor, Speedway Baptist Church, 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:

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

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

[Clerk's Note: Councillor Rhodes arrived shortly thereafter.]

INTRODUCTION OF GUESTS AND VISITORS

Councillor O'Dell introduced Phil Shambaugh, a resident from Franklin Township.

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:

Journal of the City-County Council

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 22, 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

MAY 9, 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, May 11, 1995, a copy of a NOTICE TO TAXPAYERS of Public Hearing on Proposal Nos. 198, 235, and 236, 1995, and a NOTICE OF PUBLIC HEARING on Proposal No. 333, 1995, to be held on Monday, May 22, 1995, at 7:00 p.m., in the City-County Building.

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

May 12, 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. 67, 1995 repeals the White River Greenway Development Board and establishes an Indianapolis Greenways Development Committee

GENERAL ORDINANCE NO. 68, 1995 amends public hearing requirements with respect to disposal of certain land by the Indianapolis Department of Parks and Recreation

FISCAL ORDINANCE NO. 42, 1995 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

SPECIAL RESOLUTION NO. 36, 1995 recognizing Municipal Government Week

SPECIAL RESOLUTION NO. 37, 1995 determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Metropolitan Development

SPECIAL RESOLUTION NO. 38, 1995 authorizing 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.

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Councillor Borst asked for consent to move Proposal Nos. 336 and 337, 1995 up on the agenda. Consent was given. Without objection, the agenda was adopted as amended.

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journal of May 8, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 350, 1995. This proposal, sponsored by Councillor Moriarty Adams, recognizes former Indianapolis Star reporter William E. "Bill" Anderson. Councillor Moriarty Adams read the resolution and presented a copy of the document to Mr. Anderson, who expressed appreciation for the recognition. Also present were Mr. Anderson's family, Richard Cady, Harley Bierce, Larry Connor, and Jerry Clark. Councillor Moriarty Adams moved, seconded by Councillor West, for adoption. Proposal No. 350, 1995 was adopted by unanimous voice vote.

Proposal No. 350, 1995 was retitled SPECIAL RESOLUTION NO. 39, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 1995

A SPECIAL RESOLUTION recognizing former *Indianapolis Star* reporter William E. "Bill" Anderson.

WHEREAS, William E. "Bill" Anderson is an Indianapolis Eastside native, having graduated from Little Flower elementary school and Arsenal Technical High School; and

WHEREAS, he served in the U.S. Army during the end of World War II, and studied journalism at Butler University; and

WHEREAS, from 1950 to 1956 he worked for the *Indianapolis Star* before becoming the news director at a radio station; in 1963 he joined newly-elected Mayor John J. Barton as his speech writer and as the Mayor's Complaint Office, and after a one-year stint as advertising director for Merchants National Bank, he returned for the rest of his career with the *Star* as an investigative reporter and assistant editor; and

WHEREAS, Anderson's team of reporters won the Pulitzer Prize for their series on local corruption; and during his years with the newspaper he also received the Associated Press Freedom of Information Award, the Gold Medal from Sigma Delta Chi journalism society, the Drew Pierson Award, National Headliners Award and the George Polk Memorial Award; and

WHEREAS, this spring, after four decades in journalism, Bill Anderson was inducted into the Journalism Hall of Fame during appropriate ceremonies at DePauw University; 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 long-time Indianapolis reporter and publicist William E. "Bill" Anderson.

SECTION 2. The Council wishes Bill well in his retirement years as he is able to spend more time with his wife Geraldine, their children Suzie, Mary Jo, Eileen, Kathy, David and William Michael, and with his beloved Little Flower Church and all of the eastside golf courses.

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. 351, 1995. This proposal, sponsored by Councillor Golc, recognizes George Washington High School. Councillor Golc stated that on June 3, 1995 George Washington High School is scheduled to close its doors forever. He read the resolution and moved for its adoption. Proposal No. 351, 1995 was adopted by unanimous voice vote.

Proposal No. 351, 1995 was retitled SPECIAL RESOLUTION NO. 40, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1995

A SPECIAL RESOLUTION recognizing George Washington High School.

WHEREAS, in 1927, Coolidge was in the White House, flappers were in style, the Indianapolis City Council approved funds for the city police to trade in a 1924 Studebaker for a new 1927 Buick, as well as changed the name of Ketcham Street between 10th and 16th Streets to Sharon Avenue; and

WHEREAS, that same year the new George Washington High School on West Washington Street opened its doors for the first time; and

WHEREAS, day after day for the next 68 years Washington High School carried out its primary mission of educating young people, and in the process built up an intense loyalty by all those persons whose lives were affected by the school; and

WHEREAS, especially after World War II, the Washington Continentals became a very respected powerhouse in high school athletics, producing state champions in basketball, football, golf and track; and ten graduates were signed to play professional basketball; and

WHEREAS, four of Washington's teachers have written widely used school textbooks, and alumni of the public school include an Indianapolis mayor, several college presidents, and thousands of just plain honest hard-working productive citizens; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and applauds the contributions to this community since 1927 by all persons associated with George Washington High School.

SECTION 2. This spring they may lower the flag for the last time, they can close the doors and reassign the children--but no one can close the vivid memories of the loyal alumni and friends of George Washington High School.

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

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

PROPOSAL NO. 352, 1995. This proposal, sponsored by Councillor Beadling, recognizes Mary Fendrich Hulman. Councillor Beadling read the resolution and moved for its adoption. Proposal No. 352, 1995 was adopted by unanimous voice vote.

Proposal No. 352, 1995 was retitled SPECIAL RESOLUTION NO. 41, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 1995

A SPECIAL RESOLUTION recognizing Mary Fendrich Hulman.

WHEREAS, 1995 marks the 50th Anniversary of the end of World War II, and the 50th year that the Hulman family has been the proprietors of the Indianapolis Motor Speedway; and

WHEREAS, Mary Fendrich Hulman succeeded her late husband Anton Hulman as Chairman of the Board of the Speedway in 1977, until 1988 at which time her daughter Mari Hulman George was named Chairman; and

WHEREAS, Mrs. Hulman is a Hoosier native, and her family's principal business was the LaFendrich Cigar Company begun in 1833 by her German immigrant grandfather; and

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WHEREAS, she attended parochial schools in Evansville and graduated from St. Mary-of-the-Woods Academy near Terre Haute; and

WHEREAS, beyond her successful business enterprises, Mrs. Hulman has been very generous to colleges, museums and hospitals in the Terre Haute and Indianapolis areas, and was the first woman ever elected to the Rose Hulman Board of Managers; and

WHEREAS, this year, she celebrated her 90th birthday; 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 Mary Fendrich Hulman, her family and their most widely-known family business, the Indianapolis Motor Speedway -- the home of the "Indianapolis 500" and the new "Brickyard 400" auto races.

SECTION 2. This city and state are truly blessed to have citizens like the Hulmans.

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. 29, 1995. The proposal reappoints Philip D. Pecar to the Health & Hospital Corporation Board of Trustees. PROPOSAL NO. 315, 1995. The proposal, sponsored by Councillors Schneider, McClamroch, and Dowden, appoints James E. Logsdon to the Indianapolis-Marion County Public Library Board. Councillor Schneider stated that the Municipal Corporations Committee heard Proposal Nos. 29 and 315, 1995, on May 11, 1995. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Schneider moved, seconded by Councillor McClamroch, for adoption. Councillor Schneider acknowledged the presence of Mr. Logsdon. Proposal Nos. 29 and 315, 1995 were adopted by a unanimous voice vote.

Proposal No. 29, 1995 was retitled COUNCIL RESOLUTION NO. 52, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 1995

A COUNCIL RESOLUTION reappointing Philip D. Pecar to the Health & Hospital Corporation Board of Trustees.

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

SECTION I. As a member of the Health & Hospital Corporation Board of Trustees, the Council appoints:

Philip D. Pecar

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 his respective successor is appointed and has qualified.

Proposal No. 315, 1995 was retitled COUNCIL RESOLUTION NO. 53, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 53, 1995

A COUNCIL RESOLUTION appointing James E. Logsdon to the Indianapolis-Marion County Public Library 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-Marion County Public Library Board, the Council appoints:

James E. Logsdon

SECTION 2. The appointment made by this resolution is for a term ending April 16, 1999. 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. 338, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a General Ordinance consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 339, 1995. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$758,401 to fund the Collections Division in the Office of Corporation Counsel financed by a transfer of funds from the Department of Capital Asset Management's Parking Meter Fund and from the Office of the Controller's Consolidated County Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 340, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$38,449 for the City-County Council to contract for a cable television consultant financed by a transfer of funds from the Cable Communications Agency's Consolidated County Fund"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 341, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$3,200,000 of Community Development Block Grant Section 108 funds to carry out two economic development projects: (1) the Keystone Project, and (2) the New East Industrial Center and the Opportunity Factory"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 342, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$335,000 to support direct acquisition of capital items by a qualified Community Development Corporation financed by a transfer of funds within DMD's Redevelopment General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 343, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution appointing James Caughey to the Beech Grove Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 344, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Indianapolis Fire Department's Technical Services Division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 345, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$230,900 to continue the County comprehensive traffic safety program through the Prosecuting Attorney financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 346, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$445,100 to pay for law enforcement personnel participating in the multi-jurisdictional pursuit of illegal drug activities financed by revenues from a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 347, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$197,459 for the Marion County Justice Agency to purchase local area network equipment to provide detailed information (reports and graphs) relating to violent crime financed by a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 348, 1995. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Resolution concerning annual budgets"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 349, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance authorizing a multi way stop at Hawthorne Lane and 18th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 353, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the salaries of the mayor and the councillors after January 1, 1996"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 354, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$102,315 for the County Auditor to pay the 1995 rent payments for the Family Advocacy Center financed by revenues from the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 363, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution appoints John R. Curtis to the Fort Harrison Reuse Authority"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 364, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving the disbursement of \$3,034,500 of Community Development Block Grant funds"; and the President referred it to the Metropolitan Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 336, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 336, 1995 on May 18, 1995. The proposal amends S.R. No. 78, 1994, as amended, by extending the expiration date for Post Pointe Partners, Ltd. through November 30, 1995 (9027 East 39th Place, District 14). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 336, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Black, Borst, Boyd, Brents, Curry, Dowden, Giffin, Gilmer, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West, Williams

0 Nays

4 Not Voting: Beadling, Coughenour, Franklin, Moriarty Adams

1 Not Present: Rhodes

Councillor Moriarty Adams asked for consent to abstain from voting due to a conflict of interest. Consent was given.

Proposal No. 336, 1995 was retitled SPECIAL RESOLUTION NO. 42, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 78, 1994, as amended, and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 78, 1994, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana concerning certain proposed economic development facilities to be developed by Post Pointe Partners, Ltd. (the "Company") which Inducement Resolution set an expiration date of May 31, 1995 unless the economic development revenue bonds for the Project (as defined in the Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City, by official action, extends the terms of the Inducement Resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution, but the Company has shown good cause to extend the aforesaid expiration date; 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 finds, determined, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of May 31, 1995, contained therein and replacing said date with the date of November 30, 1995.

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SECTION 2. The City-County Council further finds, determined, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 337, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 337, 1995 on May 18, 1995. The proposal is an Inducement Resolution for the Indianapolis Water Company in an amount not to exceed \$18,000,000 for additions to and expansions of the Indianapolis Water Company's existing operating facilities located within the City which will be used to provide water to users located in the City. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Mullin, for adoption. Proposal No. 337, 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, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams.

0 NAYS:

2 NOT VOTING: Giffin, Short.

1 NOT PRESENT: Rhodes.

Councillors Giffin and Short asked for consent to abstain from voting due to conflicts of interest. Consent was given.

Proposal No. 337, 1995 was retitled SPECIAL RESOLUTION NO. 43, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 43, 1995

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

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company;

WHEREAS, Indianapolis Water Company (the "Applicant"), has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities consist of the acquisition, construction and equipping of additions to and expansions of the Indianapolis Water Company's existing operating facilities located within the City of Indianapolis, Indiana which will be used to provide water to users located in the City of Indianapolis, Indiana (the "Project");

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (six (6) jobs at the end of one (1) year and nine (9) jobs at the end of three (3) years plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, construction and equipping of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

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

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

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

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed Eighteen Million Dollars (\$18,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, construction and equipping of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires November 30, 1995, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the same purpose. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

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

SPECIAL ORDERS -PUBLIC HEARING

PROPOSAL NO. 228, 1995. The proposal rezones 14.40 acres at 2339 Lafayette Road in Wayne Township from C-4, D-4 and D-S Districts to SU-7 classification to provide for a children's group home (District 16). The proposal was certified on March 16, 1995; on March 20, 1995 it was

scheduled for a public hearing on April 10, 1995; the Council has postponed it twice--on April 10 it was postponed until April 24, 1995, and on April 24, 1995 it was postponed until May 22, 1995. The President asked Bruce Polizotto, attorney for the petitioner (Pleasant Run Children's Home) to explain the current status of this rezoning. Mr. Polizotto stated that another site has been selected for this group home and the rezoning of the property at 2339 Lafayette Road by the petitioner is no longer necessary.

The President stated that under Council rules the vote is to sustain the Commission's approval to rezone this property which will take 12 yes votes; to reject will take 18 no votes. The Commission's decision was rejected and Proposal No. 254, 1995 failed by the following roll call vote; viz:

0 YEAS:

23 NAYS: Beadling, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Golc, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Ruhmkorff, Schneider, SerVaas, Shambaugh, Short, Smith, West

5 NOT VOTING: Black, Borst, Gray, Jones, Williams

1 NOT PRESENT: Rhodes

The President ruled that Proposal No. 198, 1995 would be the next item on the agenda.

PROPOSAL NO. 198, 1995. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 198, 1995 on May 3 and May 17, 1995. The proposal, sponsored by Councillor Borst, is an appropriation for \$269,652 for the County Sheriff to secure the west wing of the City-County Building and for the Court Administrator to purchase up to 22 walk-through metal detectors and 32 hand wands for use by those courts and agencies that desire security. Mr. Curry stated that the appropriation was increased by approximately \$73,000 from its original request of \$197,600. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillors Borst, Dowden, Smith, Hinkle, and McClamroch voiced their support of this proposal since it provides a security system for the courts.

Councillors Short, Ruhmkorff, and Williams said they could not support this proposal because it does not go far enough; they want the whole building secured.

Councillor Jimison asked if this is last time the security question will be heard by this Council. The President said that the east wing is now being considered as an annex to the jail. He would like to see the east wing used for the courts. He hopes there will be more dialogue on court location and security.

Councillor Williams asked how many courts will be secured by utilizing a staff person and how many will not. Councillor McClamroch said that the 16 courts in the west wing will be secured; the 23 other court rooms will have the option of acquiring the metal detectors and hand wands. The courts in the basement will continue to be secured by the metal detector that is already in place.

The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 198, 1995, as amended, was adopted on the following roll call vote; viz:

22 YEAS: *Beadling, Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, West.*

7 NAYS: *Black, Golc, Gray, Jones, Ruhmkorff, Short, Williams.*

Proposal No. 198, 1995, as amended, was retitled FISCAL ORDINANCE NO. 43, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Two Hundred Sixty-nine Thousand Six Hundred Fifty-Two Dollars (\$269,652) in the County General Fund for purposes of the County Sheriff, County Auditor, and Court Administrator Agency and appropriating an additional Two Hundred Sixty-nine Thousand Six Hundred Fifty-Two Dollars (\$269,652) in the Cumulative Capital Development Fund for the County Sheriff and reducing other appropriations in the County General Fund for the County Sheriff and other appropriations in the Cumulative Capital Development Fund for the Court Administrator 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 (b), (z), and (ww) 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, County Auditor, and Court Administrator Agency to purchase walk through metal detectors and hand wands to provide court room security and to secure the west wing of the City-County Building.

SECTION 2. The sum of Two Hundred Sixty-nine Thousand Six Hundred Fifty-two Dollars (\$269,652) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing other appropriations 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	36,602
2. Supplies	23,600
3. Other Services and Charges	5,000
4. Capital Outlay	82,000
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	8,050
<u>COURT ADMINISTRATOR AGENCY</u>	
2. Supplies	4,400
4. Capital Outlay	<u>110,000</u>
TOTAL INCREASE	269,652
<u>COUNTY SHERIFF</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
3. Other Services and Charges	<u>269,652</u>
TOTAL INCREASE	269,652

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

<u>COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>269,652</u>
TOTAL REDUCTION	269,652
<u>COURT ADMINISTRATOR AGENCY</u>	<u>CUMULATIVE CAPITAL DEVELOPMENT FUND</u>
3. Other Services and Charges	<u>269,652</u>
TOTAL REDUCTION	269,652

May 22, 1995

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

PROPOSAL NO. 333, 1995. The proposal rezones 237.77 acres at 7601 East Thompson Road in Franklin Township from I-2-S(FF) and I-4-S districts to the D-3(FF) classification to provide for residential development (District 23). Proposal No. 333, 1995 was certified by the Metropolitan Development Commission on May 4, 1995. On May 8, 1995 Councillor Smith moved to schedule Proposal No. 333, 1995 for a public hearing on May 22, 1995. This motion passed by unanimous voice vote.

The President said that Robert Elrod, General Counsel, advised him that a preliminary conference was held with the petitioners and remonstrators on May 18, 1995 and there was no resolution of the matter at that time.

Councillor Smith stated that the petitioner wishes to develop the 237 plus acres into a 653-home subdivision. He does not believe that this high density use of this land is in the best interests of Franklin Township.

Stephen Mears stated that he represents Crossmann Communities Partnership which is the petitioner in this case. Crossmann Communities is a reputable developer in Marion County and has other subdivisions in Franklin Township. Mr. Mears said that the Metropolitan Development Commission approved this rezoning by a vote of 8-1. He stated that the first plat submitted by the petitioner was for 719 homesites. The developer has since compromised with the remonstrators and reduced the homesites to 653 and has also agreed to 29 commitments. There have been several meetings with the surrounding property owners and civic organizations. The Department of Metropolitan Development staff has recommended approval.

Catherine Burton, president of the Franklin Township Civic League ("League"), stated that the League strongly opposes the proposed rezoning. It is not against residential development in Franklin Township, but the League wants the growth to take place at a controlled rate and with densities that do not overburden infrastructure and devalue existing homes.

Mark Fellmeth, member of the League, stated that 75% of this development is in an area marked "very low density" with a maximum of 2 units per acre; the other 25% is marked "low density" with a maximum of 5 units per acre. The DMD staff took the maximum amount of units in both areas to come up with its number of 653 units for this area. The League would agree to 600 units.

Joe Tilford, 6950 East Thompson Road, stated that he opposes this development due to the high density per acre and to the increased traffic that it will generate.

Councillor West asked if the remonstrators only oppose this rezoning on the density factor or on problems it has had with the developer. Mr. Fellmeth responded that the League opposes it on the grounds of density.

Councillor Moriarty Adams asked what the average size of the lots will be. Mr. Mears responded that the average size of the lots will be approximately one-fourth of an acre.

Councillor Franklin stated that he supports the remonstrators because it is the sprawling hills, meadows, and large lots that sets Franklin Township apart.

Councillor Beadling asked if the petitioner would compromise with the remonstrators on the number of units. Mr. Mears said that the petitioner has already compromised and will not compromise further.

Councillor Smith said that Franklin Township needs light industrial and commercial development, not more residential. The Franklin Township Positive Growth Association, Fire Department, the Community School Corporation all oppose this large development. He urged the Councillors to vote against this rezoning.

The President reminded the Councillors that under Council rules the vote is to sustain the Commission's approval to rezone this property will take 12 yes votes; to reject will take 18 no votes. The Commission's decision was rejected and Proposal No.333, 1995 failed by the following roll call vote; viz:

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

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 355, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on May 18, 1995." The Council did not schedule Proposal No. 355, 1995 for hearing pursuant to IC 36-7-4-608. Proposal No. 355, 1995 was retitled REZONING ORDINANCE NO. 73, 1995 and is identified as follows:

REZONING ORDINANCE NO. 73, 1995. 95-Z-51 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 10.
5320-5352 EAST 21ST STREET (approximate address), INDIANAPOLIS.
JAMES E. SMITH requests the rezoning of 4.086 acres, being in the D-A District, to the D-8 classification to conform zoning with the existing six 12-unit apartment buildings.

PROPOSAL NOS. 356-362, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 18, 1995." The Council did not schedule Proposal Nos. 356-362, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 356-362, 1995 were retitled REZONING ORDINANCE NOS. 74-80, 1995 and are identified as follows:

REZONING ORDINANCE NO. 74, 1995. 95-Z-46 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 12.
2002 NORTH ARLINGTON AVENUE (approximate address), INDIANAPOLIS.
REVCO, by Edward Williams, requests the rezoning of 1.521 acres, being in the D-5 and C-4 Districts, to the C-4 classification to conform zoning to the existing retail commercial use.

REZONING ORDINANCE NO. 75, 1995. 95-Z-47 (Amended) CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 16.
717 SOUTH EAST STREET (approximate address), INDIANAPOLIS.
THIXTON-LYNCH INVESTMENTS, INC., by Paul Page, requests the rezoning of 0.53 acre, being in the I-3-U District, to the C-2 classification to provide for office use.

REZONING ORDINANCE NO. 76, 1995. 95-Z-56 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 25
905 WEST TROY AVENUE (approximate address), INDIANAPOLIS.

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CURTIS BRINKMANN requests the rezoning of 1.73 acres, being in the D-A(FF) District, to the I-3-U(FF) classification to provide for I-3-U permitted uses.

REZONING ORDINANCE NO. 77, 1995. 95-Z-57 PERRY TOWNSHIP.

COUNCILMANIC DISTRICT # 25.

3006 WEST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.

JAMES R. JONES, by Michael J. Kias, requests the rezoning of 11.6 acres, being in the D-A(FF) District, to the C-ID(FF) classification to provide for the continued use of a mini-warehouse storage facilities and related activities.

REZONING ORDINANCE NO. 78, 1995. 95-Z-59 PERRY TOWNSHIP.

COUNCILMANIC DISTRICT # 25.

7919-7811 LAVERNE STREET (approximate address), INDIANAPOLIS.

METROPOLITAN SCHOOL DISTRICT OF PERRY TOWNSHIP, by Louis H. Borgmann, requests the rezoning of 4.29 acres, being in the D-4 District, to the SU-2 classification to provide for additional athletic fields for Perry Meridian High School and Meridian Middle School.

REZONING ORDINANCE NO. 79, 1995. 95-Z-60 PERRY TOWNSHIP.

COUNCILMANIC DISTRICT # 25.

7610 SOUTH MERIDIAN STREET (approximate address), INDIANAPOLIS.

JUST ADD POWER, INC. requests the rezoning of 1.486 acres, being in the D-A District, to the C-1 classification to provide for a computer systems support operation.

REZONING ORDINANCE NO. 80, 1995. 95-Z-63 WASHINGTON TOWNSHIP.

COUNCILMANIC DISTRICT # 7.

2415 EAST 72ND STREET (approximate address), INDIANAPOLIS.

DAYSRING ASSEMBLY OF GOD, by Edward Williams, requests the rezoning of 0.746 acre, being in the D-5 District, to the SU-1 classification to provide for church use.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 235, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 235, 1995 on April 26, 1995. The proposal is an appropriation of \$37,070 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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:15 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 235, 1995, as amended, was adopted on the following roll call vote; viz:

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

5 NOT VOTING: Black, Golc, Gray, Ruhmkorff, Williams

Proposal No. 235, 1995, as amended, was retitled FISCAL ORDINANCE NO. 44, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Thirty-seven Thousand Seventy Dollars (\$37,070) in the County General Fund to hire an employee currently under contract to the City of Indianapolis for 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 hiring an employee currently under contract to the City of Indianapolis for the Superior Court, Juvenile Division/Detention Center.

SECTION 2. The sum of Thirty-seven Thousand Seventy Dollars (\$37,070) 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	29,540
 <u>COUNTY AUDITOR</u>	
1. Personal Service - Fringes	<u>7,530</u>
TOTAL INCREASE	37,070

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>37,070</u>
TOTAL REDUCTION	37,070

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

PROPOSAL NO. 236, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 236, 1995 on April 12, 1995. The proposal is a new appropriation of \$7,833 to pay overtime per Fair Labor Standards Act's guidelines for the Superior Court, Criminal Division, Rooms 1, 2, 3, and 4, and Civil Division, Room 2, financed from the County General Fund balances. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Curry, for adoption. Proposal No. 236, 1995, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 236, 1995, as amended, was retitled FISCAL ORDINANCE NO. 45, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seven Thousand Eight Hundred Thirty-three Dollars (\$7,833) in the County General Fund for purposes of paying overtime per Fair Labor Standards Act ("F.L.S.A.") for Superior Court, Criminal Division, Rooms 1, 2, 3, and 4 and Superior Court, Civil Division, Room 2, and reducing the unappropriated and unencumbered balance in the County General Fund.

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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 (ee), (ff), (gg), (hh), and (nn) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of paying overtime per F.S.L.A. guidelines for the Superior Court, Criminal Division, Rooms 1, 2, 3, and 4 and for the Superior Court, Civil Division, Room 2.

SECTION 2. The sum of Seven Thousand Eight Hundred Thirty-three Dollars (\$7,833) 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, CRIMINAL DIVISION, ROOM 1</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	1,052
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM 2</u>	
1. Personal Services	1,017
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM 3</u>	
1. Personal Services	1,970
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM 4</u>	
1. Personal Services	2,634
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM 2</u>	
1. Personal Services	<u>1,160</u>
TOTAL INCREASE	7,833

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>7,833</u>
TOTAL REDUCTION	7,833

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

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 moved, seconded by Councillor Franklin, to strike Proposal No. 115, 1995. Proposal No. 115, 1995 was stricken by a unanimous voice vote.

PROPOSAL NO. 163, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 163, 1995 on April 27, 1995. The 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 stated that Councillor Shambaugh had an amendment he wished to submit at this time.

Councillor Shambaugh said that his proposed amendment is an agreement between the Sheriff's Department and the Indiana Retail Grocers Association (IRGA). He read the following amendment:

Mr. President:

I move to amend Proposal No. 163, 1995, Committee amended version, by deleting Sec. 17-185, paragraphs (c) through (h) inclusive which read as follows:

Sec. 17-185. Unlawful acts.

For the purposes of this article, the following act shall be deemed to be unlawful as herein stated:

~~(a) Amusement location license. It shall be unlawful to own or operate any location fitting the definition of an "amusement location" as stated in this article, without an amusement location license issued by the city controller.~~

~~(ab) Amusement machine license. It shall be unlawful to allow to be operated in any public place any amusement machine without an amusement machine license issued by the city controller.~~

~~(be) Master vendor's license. It shall be unlawful for any person, corporation or entity to act as a master vendor without a master vendor's license issued by the city controller. A master vendor's license shall not be transferable.~~

~~(cd) It shall be unlawful to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to be present in an amusement location between the hours of 7:00 a.m. and 3:30 p.m. on a day when such child's school is in session.~~

~~(de) It shall be unlawful to allow a person who has not reached the age of eighteen (18) years to be present in an amusement location after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian, or custodian, or an adult specified by the child's parent, guardian or custodian.~~

~~(ef) It shall be unlawful to operate an amusement location unless a sign is conspicuously posted inside the location which provides that no child under sixteen (16) may be present in an amusement location from 7:00 a.m. to 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian or custodian; and no child under eighteen (18) may be present in an amusement location in violation of the curfew established by state or local law.~~

~~(fg) It shall be unlawful for an exhibitor or his employee to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to operate an amusement machine between the hours of 7:00 a.m. and 3:30 p.m. on a day when such child's school is in session.~~

~~(gh) It shall be unlawful for an exhibitor or his employee to allow a person who has not reached the age of eighteen (18) years to operate an amusement machine after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian or custodian or an adult specified by the child's parent, guardian or custodian.~~

~~(hi) It shall be unlawful for an exhibitor to have amusement machines on his premises unless a sign is conspicuously posted near any amusement machines which provide that no child under sixteen (16) years of age may operate an amusement machine from 7:00 a.m. to 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian, or custodian; and no child under eighteen (18) who is in violation of the curfew established by state or local law may operate an amusement machine.~~

This motion was seconded by Councillor McClamroch.

Councillor West stated that he believes the IRGA does not want the responsibility to have to report minors who are using the amusement facilities during school hours of 7 a.m. to 3:30 p.m., which is

illegal. If this amendment passes, businesses would have no further responsibility to report minors. Responsible people in business must share the responsibility with law enforcement and help the City's Youth Commission with keeping minors out of these places during school hours. He urged the Council not to support this amendment and to adopt the Committee report on Proposal No. 163, 1995.

Councillor Williams said that she agrees with Councillor West and will vote "no" on this amendment. She said that she and Councillor Moriarty Adams met with Dr. Esperanza Zendejas, the new Indianapolis Public School (IPS) Superintendent, who asked that the Council assist the IPS with its truancy problem. Businesses should not profit from students who should be in school.

Councillor Beadling asked what the reason is for this new fee on business. Councillor Shambaugh asked Sgt. Stephen Eltzroth, Sheriff's Department, to answer that question. Sgt. Eltzroth stated that every tavern and business that has these licensed machines is going to be subject to administrative inspection by the law enforcement community to insure that the activities that the businesses are conducting are legitimate.

Councillor Shambaugh's amendment failed by a majority voice vote.

Proposal No. 163, 1995, as amended, was adopted on the following roll call vote; viz:

22 YEAS: Borst, Boyd, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Gilmer, Hinkle, Jones, McClamroch, Moriarty Adams, O'Dell, Rhodes, Ruhmkorff, Schneider, SerVaas, Shambaugh, Smith, West, Williams

7 NAYS: Beadling, Black, Golc, Gray, Jimison, Mullin, Short

Proposal No. 163, 1995, as amended, was retitled GENERAL ORDINANCE NO. 69, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 1995

A GENERAL ORDINANCE amending Secs. 17-184 through 17-193 of the Code of Indianapolis and Marion County, so as to require licensing of amusement machines located in premises controlled by holders of Alcoholic Beverage permits and by benevolent, religious, educational, civic, patriotic, fraternal and philanthropic organizations beginning July 1, 1995.

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

SECTION I. Article VI, Chapter I7, Secs. 17-184 through 17-193 of the Code of Indianapolis and Marion County, be, and is hereby, amended by inserting the underlined text and deleting the stricken-through text to read as follows:

ARTICLE VI. AMUSEMENT LOCATIONS AND MACHINES

Sec. 17-184. Definitions.

Whenever used in this article, the following words or phrases shall be defined as herein stated:

- (a) *Amusement location* means any public room or area containing five (5) or more amusement machines.
- (b) *Amusement machine* means a currency ~~coin~~-operated machine or device offered to the public as a game or amusement, the object of which is to achieve a high or low score based on the skill of the player, including, but not limited, to video games, pool or billiard tables and pinball machines. Such a machine or device designed and used exclusively for the vending of merchandise of a tangible nature shall not be deemed an amusement machine.

- (c) *Pool or billiard table* means a table used for any form of the games commonly referred to as pool or billiard and includes any table of any size, the top of which is surrounded by an elastic ledge or cushion and which is designed or used to play any game which consists of impelling balls by means of sticks or cues.
- (d) *Master vendor* means a person, corporation or entity who sells, leases or rents any amusement machine, whether on his own behalf or for another, within Indianapolis, Marion County, Indiana.
- (e) *Exhibitor* means any person owning or conducting a place of business in the city and operating or exhibiting at such place of business one (1) or more amusement machines.

Sec. 17-185. Unlawful acts.

For the purposes of this article, the following act shall be deemed to be unlawful as herein stated:

- ~~(a) Amusement location license. It shall be unlawful to own or operate any location fitting the definition of an "amusement location" as stated in this article, without an amusement location license issued by the city controller.~~
- (a**b**) Amusement machine license. It shall be unlawful to allow to be operated in any public place any amusement machine without an amusement machine license issued by the city controller.
- (a**e**) Master vendor's license. It shall be unlawful for any person, corporation or entity to act as a master vendor without a master vendor's license issued by the city controller. A master vendor's license shall not be transferable.
- (a**d**) It shall be unlawful to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to be present in an amusement location between the hours of 7:00 a.m. and 3:30 p.m. on a day when such child's school is in session.
- (a**e**) It shall be unlawful to allow a person who has not reached the age of eighteen (18) years to be present in an amusement location after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian, or custodian, or an adult specified by the child's parent, guardian or custodian.
- (a**f**) It shall be unlawful to operate an amusement location unless a sign is conspicuously posted inside the location which provides that no child under sixteen (16) may be present in an amusement location from 7:00 a.m. to 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian or custodian; and no child under eighteen (18) may be present in an amusement location in violation of the curfew established by state or local law.
- (a**g**) It shall be unlawful for an exhibitor or his employee to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to operate an amusement machine between the hours of 7:00 a.m. and 3:30 p.m. on a day when such child's school is in session.
- (a**h**) It shall be unlawful for an exhibitor or his employee to allow a person who has not reached the age of eighteen (18) years to operate an amusement machine after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian or custodian or an adult specified by the child's parent, guardian or custodian.
- (a**i**) It shall be unlawful for an exhibitor to have amusement machines on his premises unless a sign is conspicuously posted near any amusement machines which provide that no child under sixteen (16) years of age may operate an amusement machine from 7:00 a.m. to 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian, or custodian; and no child under eighteen (18) who is in violation of the curfew established by state or local law may operate an amusement machine.

Sec. 17-186. Application for license.

(1) The application for an amusement machine license or a master vendor's license ~~to own or operate an amusement location~~ shall contain the following information and be signed individually under penalties of perjury for false information on the application:—

- (a) Name of the applicant and, if a partnership or corporation the state in which organized;
- (b) Residence address of applicant;
- (c) Business address of applicant;
- (d) The age and citizenship of the applicant, if an individual; of all partners, if the applicant is a partnership or joint venture; or of the manager and officers, if the applicant is a corporation;
- ~~(e) The street address of the premises to be licensed;~~
- ~~(f) The name and residence address of the owner of the premises proposed for licensing;~~
- ~~(g) The location, and time and duration of any other amusement location operated by the applicant presently or at any previous time, and whether such license was revoked;~~
- ~~(h) The number of pool or billiard tables and amusement machines that are to be located on the premises to be licensed;~~
- ~~(i) The name of the manager or operator if said person is not the applicant;~~
- ~~(j) The name and address of the master vendor or vendors.~~

(2) The application for an amusement machine license or master vendor's license shall be made in such form and contain such additional information as the city controller may prescribe. Persons applying for a Master Vendor's License shall provide the Controller with evidence that all state and local taxes that are owing have been remitted.

Sec. 17-187. License term; fee; insignia; condition of machines.

The annual license fee shall be for the period of July first to June thirtieth, and shall be determined as follows:

~~(a) Amusement location license:~~

~~(1) One hundred fifty dollars (\$150.00); plus~~

~~(2) Twenty five dollars (\$25.00) for the first amusement machine located on the licensed premises;~~
plus

~~(3) Ten dollars (\$10.00) for the second and each additional amusement machine located on the licensed premises.~~

~~(a**b**) Amusement machine license, per annum; five dollars (\$5.00).~~

~~(b**e**) Master vendor's license, per annum, five hundred dollars (\$500.00).~~

Each person, upon procuring an amusement machine license from the controller, shall be given one metal or plastic insignia for each amusement machine so licensed, which shall be securely attached thereto, and each amusement machine shall be kept in good operating condition at all times.

Sec. 17-188. Operation.

(a) All amusement locations shall be kept in a clean, healthful and sanitary condition at all times and the city controller shall have the power to determine if such room or rooms are kept in a clean, healthful and sanitary condition and for such purpose, when desired, have the assistance of any law enforcement agency or the administrator of the division of buildings and of the health and hospital corporation of Marion County. If said controller shall determine, by a law enforcement agency or the division of buildings or of the health and hospital corporation of Marion County, that an unsanitary condition exists within an amusement location or on property immediately adjacent to the amusement location, which property is under the control of the amusement location owners or their lessee or lessor, he shall have the power to suspend the amusement ~~location~~ machine license for ~~such premises~~ each machine at the location until such unsanitary condition is rectified.

(b) No licensee article under this article, or his employee, shall permit persons to congregate in a disturbing manner within said amusement location or on parking areas or other property immediately adjacent to or normally used for purposes of parking for which property is under

the control of the amusement location owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the licenses of the amusement ~~location~~ machines by the controller.

- (c) No licensee under this article, or his employee, shall violate any state statute or city ordinance, allow any other person to commit such violation, within said amusement location or on parking areas or other property immediately adjacent to or normally used for purposes of parking for said amusement location which property is under the control of the amusement location owner or owners or their lessee or lessor. A violation of this provision shall be sufficient grounds for the revocation of the licenses of the amusement ~~location~~ machines by the controller.
- (d) No exhibitor or his employee shall permit persons to congregate in a disturbing manner on the premises of his place of business.
- (e) No exhibitor or his employee shall violate any state statute or city ordinance, or allow any other person to commit such violation on the premises of the exhibitor's place of business.

Sec. 17-189. Investigation, rejection, notification.

The controller, before issuing a license, shall investigate the character of the applicant or applicants, and the officers or general manager of the business. Each licensee shall have an owner, manager or resident agent who shall be a resident of Marion County, Indiana. The license may be denied if the controller shall ~~and find~~ that any of the persons named in the application have previously been convicted of a felony, connected with any amusement location ~~when the license has been revoked or~~ where any of the provisions of the law, applicable to him, have been violated, or if the amusement location or billiard or pool room ~~sought to be licensed~~ does not comply in every way with the ordinances and laws applicable thereto. All employees of the licensee shall be eighteen (18) years of age or older. If an application denied, the applicant for such permit shall be notified in writing of the reasons for rejection and shall have the right to appeal accorded by this chapter.

Sec. 17-190. Inspection; report of violations.

It shall be the duty of every ~~police officer~~ law enforcement officer, and all persons designated by the chief of police, county sheriff and city controller, to make frequent inspections of all amusement locations, and amusement machines, and if any gaming, improper or unlawful practices are observed to report the same to the chief of police or county sheriff for proper action and also to city controller, who thereupon may recommend proceedings to revoke the license, in accordance with the provisions of this chapter.

Sec. 17-191. Reserved.

~~Sec. 17-192. Exemption from this article.~~

~~This article shall not apply to any room or area under the jurisdiction of the Indiana State Alcoholic Beverage Commission, and to any room area which is maintained by or for a benevolent, religious, educational, civic, patriotic, fraternal or philanthropic organization or purpose.~~

Sec. 17-~~192~~ 193. Penalties.

The penalties provided in section 1-8 of the "Code of Indianapolis and Marion County, Indiana" shall apply to this article. The fines assessed for violation of this Article shall be deposited with the law enforcement agency that caused the violation to be filed.

SECTION 2. This ordinance shall be in full force and effect from and after July 1, 1995.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 252, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 252, 1995 on May 16, 1995. The proposal, sponsored by Councillor Beadling, requests the Metropolitan Development Commission to initiate and adopt amendments to the Zoning Ordinance for Marion County to fix limits upon certain enforcement actions. By a 5-0

vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor West moved, seconded by Councillor Beadling, to strike. Proposal No. 252, 1995 was stricken by a unanimous voice vote.

Councillor Gilmer reported that the Capital Asset Management Committee heard the following eleven proposals on May 10, 1995. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

PROPOSAL NO. 286, 1995. The proposal, sponsored by Councillor Black, prohibits parking on the south side of 39th Street from Illinois Street to Meridian Street (District 6). Councillor Gilmer said that the neighborhood has had problems with trucks parking on 39th Street. He moved, seconded by Councillor Black, to amend Proposal No. 286, 1995 by prohibiting parking on both sides of 39th Street from Illinois Street to Meridian Street at all times. This motion passed by a unanimous voice vote. Proposal No. 286, 1995, as amended, 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, Smith, West, Williams.

0 NAYS:

4 NOT VOTING: Giffin, Gray, Mullin, Short.

Proposal No. 286, 1995, as amended, was retitled GENERAL ORDINANCE NO. 70, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 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, Section 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:

39th Street, on both sides,
from Illinois Street to Meridian Street

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

PROPOSAL NOS. 276, 277, 278, 279, 280, and 281, 1995. Councillor Gilmer asked for consent to vote on these proposals together. Consent was given. PROPOSAL NO. 276, 1995. The proposal, sponsored by Councillor Gilmer, authorizes stop signs for the Huntington Pointe subdivision (District 1). PROPOSAL NO. 277, 1995. The proposal, sponsored by Councillor Gilmer, authorizes intersection controls for the Huntington Estates subdivision (District 1). PROPOSAL NO. 278, 1995. The proposal, sponsored by Councillor Gilmer, authorizes stop signs for the Huntington Ridge subdivision (District 1). PROPOSAL NO. 279, 1995. The proposal, sponsored by Councillor Hinkle, authorizes a multi-way stop at Wilshire Glen Drive and Cardiff Lane in the Wilshire Glen subdivision (District 18). PROPOSAL NO. 280, 1995. The proposal, sponsored by Councillor Borst, authorizes a multi-way stop at Banta Road and Harding Street (District 25). PROPOSAL NO. 281, 1995. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Hoyt Avenue and Spruce Street (District 21).

Councillor Borst said that his name is on Proposal No. 280 as the sponsor, but that he was not asked to sponsor it. He also said that the stop sign is already there. George Lynch, Executive Assistant, Department of Capital Asset Management, stated that he would look into it.

Councillor Hinkle stated that as a member of the Capital Asset Management Committee, he always asks if the sponsor is aware of the proposal. In the future, when he asks if the sponsor is aware or has signed off, he is specifically asking if a Councillor has signed off on the proposal.

Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal Nos. 276, 277, 278, 279, 280, and 281, 1995 were adopted on the following roll call vote; viz:

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

Proposal No. 276, 1995 was retitled GENERAL ORDINANCE NO. 71, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 71, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
8, Pg. 1	Bluffridge Ln, Bluffridge Way	Bluffridge Way	Stop
8, Pg. 1	Bluffridge Dr, Bluffridge Way	Bluffridge Way	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-I4.

Proposal No. 277, 1995 was retitled GENERAL ORDINANCE NO. 72, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 1995

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

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

SECTION I. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
8, Pg. I	Antietam Ci, Antietam Ct	Antietam Ci	Yield

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8, Pg. 1	Antietam Ci, Bluffridge Blvd	Bluffridge Blvd	Stop
8, Pg. 1	Antietam Pl, Bluffridge Blvd	Bluffridge Blvd	Stop
8, Pg. 1	Bluffridge Pl, Bluffridge Blvd	Bluffridge Blvd	Stop
8, Pg. 1	Bluffridge Blvd, Lafayette Rd	Lafayette Rd	Stop

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

Proposal No. 278, 1995 was retitled GENERAL ORDINANCE NO. 73, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
8, Pg. 1	Antelope Blvd, Antelope Dr	Antelope Blvd	Stop
8, Pg. 1	Antelope Blvd, Lafayette Rd	Lafayette Rd	Stop
8, Pg. 1	Antelope Blvd, Caribou Pl	Antelope Blvd	Stop
8, Pg. 1	Caribou Pl, Caribou Dr	Caribou Pl	Stop

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

Proposal No. 279, 1995 was retitled GENERAL ORDINANCE NO. 74, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
15, Pg. 3	Cardiff Ln, Wilshire Glen Dr	Wilshire Glen Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
15, Pg. 3	Cardiff Ln, Wilshire Glen 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. 280, 1995 was retitled GENERAL ORDINANCE NO. 75, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
45, Pg. 1	Banta Rd, Harding St	Harding St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
45, Pg. 1	Banta Rd, Harding St	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. 281, 1995 was retitled GENERAL ORDINANCE NO. 76, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 76, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
32, Pg. 20	Hoyt Av, Spruce St	Hoyt Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
32, Pg. 20	Hoyt Av, Spruce St	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. 283, 1995. The proposal, sponsored by Councillor Giffin, authorizes a traffic signal at Hanna Avenue and Kentucky Avenue (District 19). Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 283, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 283, 1995 was retitled GENERAL ORDINANCE NO. 77, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 77, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection traffic 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>
37, Pg. 4	Hanna Av, Kentucky Av	Kentucky Ave	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
37, Pg. 4	Hanna Av, Kentucky Av	None	Signal

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

PROPOSAL NO. 284, 1995. The proposal, sponsored by Councillors Ruhmkorff and O'Dell, authorizes a traffic signal at Washington Street and Sadlier Drive (Districts 12, 13). Councillor

Gilmer moved, seconded by Councillor Ruhmkorff, for adoption. Proposal No. 284, 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. 284, 1995 was retitled GENERAL ORDINANCE NO. 78, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 78, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
27, Pg. 15	Sadlier Dr, Washington St	Washington St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection traffic 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>
27, Pg. 15	Sadlier Dr, Washington St	None	Signal

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

PROPOSAL NO. 285, 1995. The proposal, sponsored by Councillor Black, prohibits parking on College Avenue from 100 feet south of 40th Street to 100 feet north of 40th Street (District 6). Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 285, 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. 285, 1995 was retitled GENERAL ORDINANCE NO. 79, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 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:

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

College Avenue, on the east side, from the south curblin
of 40th Street, to a point 100 feet south of 40th Street.

College Avenue, on the west side, from the north curblin
of 40th Street, to a point 100 feet north of 40th Street.

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

PROPOSAL NO. 287, 1995. The proposal, sponsored by Councillor Gilmer, changes the speed limit for 82nd Street from Lafayette Road to County Line Road (District 1). Councillor Gilmer moved, seconded by Councillor Hinkle, for adoption. Proposal No. 287, 1995 was adopted on the following roll call vote; viz:

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

2 NAYS: Coughenour, Gray

1 NOT VOTING: Giffin.

Proposal No. 287, 1995 was retitled GENERAL ORDINANCE NO. 80, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 1995

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

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

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

35 MPH

82nd Street, from Lafayette Road to County Line Road

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

NEW BUSINESS

Councillor Golc stated that a committee is studying the reuse of Washington High School. The committee would like to appoint someone from this Council to a board that is being organized.

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 Councillors Shambaugh and Hinkle in memory of Fred A. Hankins.

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 Fred A. Hankins. 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 his family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:07 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 22nd 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.



President

ATTEST:



Clerk of the Council

(SEAL)