

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

**REGULAR MEETINGS
MONDAY, JUNE 26, 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 7:15 p.m. on Monday, June 26, 1995, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Brents introduced Dr. John Pless, Indiana University Medical Center, and East Africa exchange students Frank Rono, John Kariri, Erich Bartuiyot, Cynthia Misumi and Kathleen Rono. Councillor Curry introduced Carol Curl, City-County Council candidate for District 17. Councillor Hinkle introduced Ernestine Nicholson and Frances Maynard, Wayne Township Advisory Board members. President SerVaas introduced Esperanza Zendejas, Indianapolis Public Schools Superintendent.

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

PROPOSAL NO. 426, 1995. The proposal, sponsored by Councillors Boyd, SerVaas, and McClamroch, welcomes Dr. Esperanza Zendejas to the City and into the position of

Superintendent of Public Schools. Councillor Boyd read the proposal and presented a copy of the document to Dr. Esperanza Zendejas. Dr. Zendejas stated that she hopes to serve the children of Indianapolis with much tenacity and dedication while moving the school system forward. She urged the Council and the Community to support the many changes that will improve the school system.

Councillor Boyd moved, seconded by Councillor McClamroch, for adoption. Proposal No. 426, 1995 was adopted by a unanimous voice vote.

Proposal No. 426, 1995 was retitled SPECIAL RESOLUTION NO. 55, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 1995

A SPECIAL RESOLUTION welcoming Dr. Esperanza Zendejas to the city and into the position of Superintendent of Public Schools.

WHEREAS, the City of Indianapolis has recently received into the community a newly selected Superintendent of Public Schools; and

WHEREAS, Indianapolis and its surrounding jurisdictions and neighbors fully realize that the viability of an urban area largely depends upon the quality of its full access institutions of public education and the tenor set by their policy makers and administrators; and

WHEREAS, in great part, the commercial and cultural enterprise of a city relies upon having the literate and appreciative workforces and audiences fashioned in large measure out of the formal education environment; and

WHEREAS, the Indianapolis City-County Council, while realizing the statutory distinctions in authority and responsibility between local government and independently elected education policy makers, also realizes the need for partnership and cooperative effort toward the realization of commonly held goals; and

WHEREAS, the stewardship of our city's resources and the guardianship of our city's youth are inseparable trusts to which we should all attend; now, therefore:

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

SECTION 1. The City of Indianapolis, through its popularly elected City-County Council, welcomes Dr. Esperanza Zendejas to her new home as citizen in one of the nation's great cities, and into her new position as Superintendent of Schools of the state's largest school system.

SECTION 2. The Council further recognizes the challenges of education and general governance facing the city and recommitts itself to cooperative effort in finding fair and appropriate solutions and in making the city and the schools within it the best in the nation.

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

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

Councillor Borst introduced Marcia Oliver, Associate Manager, Circle Centre Mall (the "Mall") and Claypool Courts. He asked for consent for her to speak about the job fair for the Mall that will occur in July. Consent was given.

Ms. Oliver stated that on July 10, 11, and 12, 1995 the tenants of the Mall will be participating in a job fair located at the Indiana Roof. She stated that the 2,000 employment positions available range from custodians to accountants.

June 26, 1995

Ms. Oliver then stated that in order to encourage people to attend (1) Community Centers of Indianapolis will be providing a free shuttle service to the job fair on every day of the fair; (2) Metro Bus will be providing a free ticket home from the job fair, and (3) Denison Parking Garages will offer a discounted \$1.00 parking rate on the days of the fair.

Ms. Oliver urged the Council to promote the job fair among their constituents and attend the grand opening of the Mall.

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 the 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, June 26, 1995, at, 7:00 p.m., the purposes 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

June 13, 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, June 15, 1995, a copy of a NOTICE TO TAXPAYERS of Public Hearing on Proposal Nos. 354, 373, 376, and 377, 1995, to be held on Monday, June 26, 1995, at 7:00 p.m., in the City-County Building.

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

June 26, 1995

Dr. Beurt SerVaas
City-County Council
Indianapolis, IN 46204

Dear Dr. SerVaas:

Enclosed are the signed ordinances relating to County salary increases. I signed the ordinances very reluctantly. I fundamentally disagree with funding salary increases from budget balances, especially since the county has not paid back the \$400,000 it owes the City for last year's Sheriff's contract. I signed the ordinances, however, based on the following understanding, which should help increase chances of us providing a new jail expansion which is necessary to reduce the crime rate. This agreement includes the following components:

1. The courts will not seek a 1996 budget which exceeds the 1995 budget plus the 2% increase. I understand the courts will, though, ask for an outside-the-guideline request for probation officers. This item has been submitted for the past 5 years and Council has refused to act upon it.

Journal of the City-County Council

The judges will vigorously seek efficiencies associated with consolidation, employing an outside consultant to help do so.

2. The Sheriff will give 2% increases (other than step increases) to correctional officers only when they have over 6 years experience.

Yours truly,
s/Stephen Goldsmith

June 16, 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. 81, 1995 - authorizes a passenger and material loading zone on Pearl Street west of Pennsylvania Street (District 16)

GENERAL ORDINANCE NO. 82, 1995 - authorizes intersection controls for the Robertson Village subdivision (District 2)

GENERAL ORDINANCE NO. 83, 1995 - authorizes stop signs at 44th Street and Paula Lane East Drive (District 2)

GENERAL ORDINANCE NO. 84, 1995 - authorizes multi-way stops at Deer Creek Avenue and Deer Creek Drive and at Deer Creek Drive, McCarty Court and Callan Drive (District 9)

GENERAL ORDINANCE NO. 85, 1995 - authorizes a multi-way stop at 44th Street and Park Avenue (District 6)

GENERAL ORDINANCE NO. 86, 1995 - authorizes a multi-way stop at 53rd Street and Guilford Avenue (District 7)

GENERAL ORDINANCE NO. 87, 1995 - authorizes a multi way stop at 51st Street and Park Avenue (District 7)

GENERAL ORDINANCE NO. 88, 1995 - authorizes a multi-way stop at Delaware Street and Griffin Road (District 20)

GENERAL ORDINANCE NO. 89, 1995 - authorizes a multi-way stop at Wallace Avenue and 13th Street (District 15)

GENERAL ORDINANCE NO. 90, 1995 - authorizes a multi-way stop at Sleet Drive and Somers Drive (District 23)

GENERAL ORDINANCE NO. 91, 1995 - authorizing a multi way stop at Hawthorne Lane and 18th Street (District 15)

GENERAL ORDINANCE NO. 92, 1995 - removes parking restrictions on Dr. Martin Luther King Jr. Street on the east side and from 10th Street to 11th Street (District 16)

FISCAL ORDINANCE NO. 48, 1995 - an appropriation of \$252,750 for acquisition of laboratory instrumentation and to provide an educational stipend for laboratory employees for the Forensic Services Agency financed by tuition payments to the County General Fund from the government of Abu Dhabi covering eight officers being trained by the Forensic Services Agency

FISCAL ORDINANCE NO. 49, 1995 - an appropriation to pay for salary increases for the Information Services Agency financed by revenues from the Information Services Internal Services Fund

FISCAL ORDINANCE NO. 50, 1995 - an appropriation to pay salary increases for employees of the County Assessor and the nine Township Assessors financed by revenues from the Property Reassessment Fund

FISCAL ORDINANCE NO. 51, 1995 - an appropriation to pay salary increases for all the County agencies financed by revenues from the County General Fund

FISCAL ORDINANCE NO. 52, 1995 - an appropriation to pay salary increases for the Metropolitan Emergency Communications Agency financed by revenues from the Metropolitan Emergency Communications Agency Fund

June 26, 1995

FISCAL ORDINANCE NO. 53, 1995 - appropriates an additional \$2,814,548 in Community Block Grant funds for redevelopment block grant activities financed by additional grants

FISCAL ORDINANCE NO. 54, 1995 - 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

FISCAL ORDINANCE NO. 55, 1995 - an appropriation of \$230,900 to continue the County comprehensive traffic safety program through the Prosecuting Attorney financed by a federal grant

FISCAL ORDINANCE NO. 56, 1995 - 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

FISCAL ORDINANCE NO. 57, 1995 - 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

FISCAL ORDINANCE NO. 58, 1995 - 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

SPECIAL RESOLUTION NO. 30, 1995 - remembering the life of Richard "Dick" Hunt

SPECIAL RESOLUTION NO. 44, 1995 - recognizes the newest development phase of the White River State Park

SPECIAL RESOLUTION NO. 45, 1995 - concerns the United Way of Central Indiana's Day of Caring

SPECIAL RESOLUTION NO. 46, 1995 - recognizing the Marion County Sheriff's Police Athletic League Playground Park at 42nd Street and Mitthoefer Road

SPECIAL RESOLUTION NO. 47, 1995 - determining the need to lease office space at Thomson Consumer Electronics, 600 North Sherman Drive, for the Department of Public Safety

SPECIAL RESOLUTION NO. 48, 1995 - approving the disbursement of \$3,000,000 of Community Development Block Grant funds

Respectfully,
s/Stephen Goldsmith, Mayor

July 1, 1995

Dr. Beurt SerVaas, President
City-County Council
1000 Waterway Boulevard
Indianapolis, IN 46202

Dear Beurt:

This is to inform you that I am tendering my resignation from the City-County Council effective July 1, 1995.

It certainly has not been an easy decision. However, I do not feel I can serve the people in my Council District #12, as they should be served.

Over the past 17 plus years it has been my pleasure to serve on the Council and be a part of what has made Marion County what it is.

My best wishes in your continued service during these challenging times.

Sincerely,
s/Betty Ruhmkorff
Councilwoman, District 12

ADOPTION OF THE AGENDA

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

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

PROPOSAL NO. 420, 1995. The proposal, sponsored by Councillor Hinkle, recognizes the Ben Davis Special Olympics Volleyball Team. Councillor Hinkle read the proposal and presented a copy of the document to team members Randy Baire, LeShawn Brown, Anthony Hughes, James Jenkins, Jason McComb, Paul Bilak-Philhower, Joe Stevenson, Michael Wallace, Brian Atwood and David Young; Tammy Haley, Coach; and Anita Risch, Assistant Coach. Coach Haley and team member Anthony Hughes expressed appreciation for the recognition. Councillor Hinkle moved, seconded by Councillor Shambaugh, for adoption. Proposal No. 420, 1995 was adopted by a unanimous voice vote.

Proposal No. 420, 1995 was retitled SPECIAL RESOLUTION NO. 49, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 1995

A SPECIAL RESOLUTION recognizing the Ben Davis Special Olympics Volleyball Team.

WHEREAS, this July, 7,000 athletes from 140 countries, 2,000 coaches, 15,000 families and friends, plus thousands more spectators, media and volunteers will all become a part of the 1995 Special Olympics World Summer Games at several college campuses and cities in Connecticut; and

WHEREAS, the 1995 Special Olympics will feature competition in 19 sports, Opening Ceremonies, Tall Ships, fireworks and festivals; and

WHEREAS, in attendance at the Games will be the Ben Davis Special Olympics Volleyball Team and many of their parents; now, therefore.

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

SECTION 1. The Indianapolis City-County Council recognizes the Ben Davis Special Olympics Volleyball Team as it departs to the 1995 Special Olympics World Summer Games.

SECTION 2. The Council hopes that the Ben Davis team will carry on the winning and good sportsmen-like ways of teams from Indianapolis and from Ben Davis High School.

SECTION 3. The Council specifically recognizes team members Randy Baire, LeShawn Brown, Anthony Hughes, James Jenkins, Jason McComb, Paul Bilak-Philhower, Joe Stevenson, Michael Wallace, Brian Atwood and David Young, and Coach Tammy Haley and Assistant Coach Anita Risch.

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

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

PROPOSAL NO. 421, 1995. The proposal, sponsored by Councillor Hinkle, recognizes the Wayne Township Fire Department. Councillor Hinkle read the proposal and presented a copy of the document to Larry W. Curl, Chief; Steve Sommers, Deputy Chief; Alan Schrum, District Chief; and Todd Taylor, District Chief. Also present were Ernestine Nicholson and Frances Maynard, Wayne Township Advisory Board members; and Mrs. Carol Curl. Chief Curl, Ernestine Nicholson, and Frances Maynard expressed appreciation for the recognition. Councillor Hinkle moved, seconded by Councillor Golc, for adoption. Proposal No. 421, 1995 was adopted by a unanimous voice vote.

June 26, 1995

Proposal No. 421, 1995 was retitled SPECIAL RESOLUTION NO. 50, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 1995

A SPECIAL RESOLUTION recognizing the Wayne Township Fire Department.

WHEREAS, Marion County's Wayne Township Fire Department of 511 volunteers and 26 paid personnel feel strongly about legislation that impacts the safety of citizens such as smoke detectors, sprinklers and arson crimes; and

WHEREAS, toward that end, the Wayne Township Fire Department has actively supported the Congressional Fire Services Institute since its inception in 1989, and Wayne's Chief, Larry W. Curl, is President of the Indiana Fire Services Institute; and

WHEREAS, the Department has been an innovator in around-the-clock firehouse staffing by volunteers, is extremely active in the community promoting fire safety, and has built a mobile public education trailer to teach people about exits from homes in the event of a disaster; and

WHEREAS, earlier this month at the national Institute's annual dinner which was attended by President Bill Clinton, members of Congress and 2,000 members of the fire and emergency services community, the Wayne Township Fire Department was awarded the Congressional Fire Services Institute's Partnership Award for the Department's work in fire and life safety issues; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the Wayne Township Fire Department for its ongoing work in safety education, community involvement, fire safety and its recent national award.

SECTION 2. The Council specifically commends the Wayne Township Trustee, Township Board, Fire Chief and each of the township's firefighters for their diligent work.

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. 422, 1995. The proposal, sponsored by Councillors Franklin and Short, recognizes Christine "Chris" Johnson. Councillor Short read the proposal and presented a copy of the document to Chris Johnson, who expressed appreciation for the recognition. Also present were John von Arx, Marion County Auditor; Cindy Land, Deputy Auditor; Bill Lantz, Deputy Auditor; and Maryjo Johnson, daughter. Councillor Short moved, seconded by Councillor Franklin, for adoption. Proposal No. 422, 1995 was adopted by a unanimous voice vote.

Proposal No. 422, 1995 was retitled SPECIAL RESOLUTION NO. 51, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 1995

A SPECIAL RESOLUTION recognizing Christine "Chris" Johnson.

WHEREAS, Christine "Chris" Johnson, a native of Greencastle, Indiana, has worked for local government for over 22 years; and

WHEREAS, she worked under Governors Welsh, Branigin and Whitcomb, at the Center Township Assessor's Office, and for five Marion County Auditors: Jerome Forestal, Harry Eakin, Faye Mowery, Curt Coonrod and the current Auditor, John von Arx; and

Journal of the City-County Council

WHEREAS, as the head Real Estate Assistant in the Auditor's Office, Chris has been extremely experienced, loyal and a very dedicated public servant; and

WHEREAS, through the decades Chris has also been active in the political process working at the polls and is proud that she has met and shaken hands with U.S. Presidents Truman, Johnson, Carter and Kennedy; and

WHEREAS, at the end of June Chris Johnson is retiring, and her outstanding professional skill, knowledge and initiative will be sorely missed; 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 Christine "Chris" Johnson for her long service to the people of this county.

SECTION 2. The Council wishes Chris well as she has more time for the special loves of her life: her children Michelle, Deborah and Maryjo, her grandchildren, cooking, travel, bingo and Holy Name Catholic Church in Beech Grove.

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. 423, 1995. The proposal, sponsored by Councillor Dowden, recognizes J. Lloyd Grannan. Councillor Dowden read the proposal and presented a copy of the document to J. Lloyd Grannan, who expressed appreciation for the recognition. Also present were Jill Schultz, daughter; and David Grannan, son. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 423, 1995 was adopted by a unanimous voice vote.

Proposal No. 423, 1995 was retitled SPECIAL RESOLUTION NO. 52, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 1995

A SPECIAL RESOLUTION recognizing J. Lloyd Grannan.

WHEREAS, J. Lloyd Grannan, MSH, REHS, has been with the Bureau of Environmental Health of the Marion County Health Department for over 36 years; and

WHEREAS, as Coordinator of Environmental Education, Mr. Grannan spent an extensive amount of time with food and restaurant sanitation, helped plan environmental health strategies for the Pan Am Games and the Swine Flu Immunization Program, served as the local liaison with state and federal health and agriculture agencies, provided public information and for the past 16 years maintained Marion County's animal bite records; and

WHEREAS, Mr. Grannan is a graduate of Purdue and Indiana State University, and has been a strong supporter of professionalism--as evidenced by his holding Indiana Registered Professional Sanitarian Certificate #19; and

WHEREAS, since 1989, he has served as Chairman of the Marion County Animal Control Board, and has always maintained an open and cordial working relationship with the Council; and

WHEREAS, Mr. Grannan has very capably labored for our basic health and sanitation standards, and he generously gave of his experience and knowledge to his profession and to the Animal Control Board; and

WHEREAS, Lloyd Grannan has announced that he intends to retire on June 30, 1995, from the Health Department and to relinquish his seat on the Animal Control Board; now, therefore:

June 26, 1995

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 J. Lloyd Grannan and his nearly four decades of service to the citizens of Marion County.

SECTION 2. The Council wishes him well in the future.

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. 424, 1995. The proposal, sponsored by Councillors Rhodes, Schneider, and Dowden, concerns movie video tape distribution by the Indianapolis-Marion County Public Library. Councillor Rhodes moved, seconded by Councillor Schneider, to refer Proposal No. 424, 1995 to the Municipal Corporations Committee. Proposal No. 424, 1995 was referred to the Municipal Corporations Committee by a unanimous voice vote.

PROPOSAL NO. 425, 1995. The proposal, sponsored by Councillor O'Dell, recognizes the contributions of Councillor Betty Ruhmkorff. Councillor O'Dell read the proposal and presented a copy of the document to Betty Ruhmkorff, who expressed appreciation for the recognition. Also present was Jack Cottey, Marion County Sheriff. Councillor O'Dell moved, seconded by Councillor Beadling, for adoption. Proposal No. 425, 1995 was adopted by a unanimous voice vote.

Proposal No. 425, 1995 was retitled SPECIAL RESOLUTION NO. 54, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 1995

A SPECIAL RESOLUTION recognizing the contributions of Councillor Betty Ruhmkorff.

WHEREAS, Betty Ruhmkorff was sworn in as a member of the Council by Council Clerk Beverly Rippy on Monday night, April 10, 1978; and

WHEREAS, she took over representing the Twelfth Council District from Donald McPherson; and

WHEREAS, that year William Hudnut was Mayor, Phillip Hinkle was the Council's Research Director and Stuart Rhodes was its Fiscal Analyst, Ray Crowe was Parks Director, Jack Cottey and Joe McAtee were IPD Deputy Chiefs, Fred Madorin and Keith Otto were the top two staffers in the City's Department of Transportation, Patricia Nickell was on the City's License Review Board, Rosemary Clarke was on a Zoning Appeals Board, Carlton Curry was on the Transportation Board and Harold Kohlmeier and Charlie Applegate wore black robes and were called "your honor;" and

WHEREAS, her first vote was for Councillor Durnil's Proposal to designate part of West 16th Street as the "Hulman Memorial Way," her second vote was to spend the money to make the environmental court a full-time court, and later that evening she voted with the 14-15 majority to deny spending the money to send a judge to a conference in Reno; and

WHEREAS, during the next 17 years on the Council, Councillor Ruhmkorff voted upon approximately 10,000 Proposals, always being extra sensitive to represent her constituents, her Party and the plain everyday working folks of the city who get things done; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the service of Councillor Betty Ruhmkorff from 1978 through 1995.

Journal of the City-County Council

SECTION 2. The Council will miss her insights, independent spirit and wealth of experience; and wish her well in her retirement years.

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. 275, 1995. The proposal, sponsored by Councillor McClamroch, reappoints Judy Seubert to the Board of Ethics. Councillor McClamroch moved, seconded by Councillor Curry, for adoption. Proposal No. 275, 1995 was adopted by a unanimous voice vote.

Proposal No. 275, 1995 was retitled COUNCIL RESOLUTION NO. 55, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 1995

A COUNCIL RESOLUTION reappointing Judy Seubert 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:

Judy Seubert

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 her respective successor is appointed and has qualified.

PROPOSAL NO. 343, 1995. The proposal, sponsored by Councillor McClamroch, appoints James Caughey to the Beech Grove Library Board. Councillor McClamroch moved, seconded by Councillor Schneider, for adoption. Proposal No. 343, 1995 was adopted by a unanimous voice vote.

Proposal No. 343, 1995 was retitled COUNCIL RESOLUTION NO. 56, 1995 and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 1995

A COUNCIL RESOLUTION appointing James Caughey to the Beech Grove 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 Beech Grove Library Board, the Council appoints:

James Caughey

SECTION 2. The appointment made by this resolution is for a term ending March 31, 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. 412, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the disbursement of the additional

June 26, 1995

\$2,814,548 of Community Development Block Grant funds appropriated June 12, 1995"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 413, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Dwelling Districts Zoning Ordinance to provide for a 3000 foot separation between group homes for the mentally ill"; and the President referred it to the Metropolitan Development Committee.

Councillor West asked for consent to place Proposal Nos. 412 and 413, 1995 on the agenda. Both proposals have been recommended by the committee but were not yet introduced. Consent was given.

PROPOSAL NO. 414, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which recodifies the cable television regulations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 415, 1995. Withdrawn.

PROPOSAL NO. 416, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$44,031 for the Franklin Township Assessor to pay relocation expenses financed from the County General Fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 417, 1995. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance an appropriation of \$2,720 for the Superior Court, Criminal Division, Room Three, to pay for additional supply, office equipment, and parking expenses financed by a transfer of funds within the court's County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 418, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance an appropriation of \$199,877 for Community Corrections to continue the Craine House Family Living Program financed by a state grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 419, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance authorizing the City to issue its Resource Recovery Revenue Refunding Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), Series 1996"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 408, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 408, 1995 on June 15, 1995. The proposal amends S.R. No. 93, 1994, by extending the expiration date for Pleasant Run Children's Homes, Inc. through December 31, 1995, and changing the proposed location of the project to 2405 North Tibbs Avenue (District 16). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Smith, for adoption. Proposal No. 408, 1995 was adopted on the following roll call vote; viz:

Journal of the City-County Council

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

0 NAYS:

6 NOT VOTING: *Boyd, Coughenour, Golc, Moriarty Adams, Ruhmkorff, West*

1 NOT PRESENT: *Giffin*

Proposal No. 408, 1995 was retitled SPECIAL RESOLUTION NO. 56, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 56, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 93, 1994 and 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-II.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, City-County Special Resolution No. 93, 1994 (the "Original Inducement Resolution") has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana for the Issuer to either acquire certain economic development facilities and sell or lease the same to Pleasant Run Children's Homes, Inc., an Indiana not-for-profit, 501(c)(3) corporation (the "Applicant") or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities as described in the Original Inducement Resolution were to consist of the acquisition, renovation, installation and equipping of an approximately 130,000 square foot building located at approximately 2300 Lafayette Road, Indianapolis, Indiana on approximately 14 acres of land which will be used by the Applicant to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Foster Care, Residential Group Homes and Wrap-Around services; 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 (the "Original Project");

WHEREAS, the Original Inducement Resolution contained an expiration date of June 30, 1995 unless the economic development revenue bonds for the Original Project (as defined in the Original Inducement Resolution) had been issued prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the terms of the Original 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 Applicant has shown good cause to extend the aforesaid expiration date and additionally the Applicant has further requested that the Original Inducement Resolution be amended to also reflect that the Original Project is being amended so that it will now be developed by the Applicant at 2400 North Tibbs Avenue, Indianapolis, Indiana on approximately 26 acres of land and will consist of the acquisition, renovation and equipping of the existing Noble Centers facility at the aforementioned location which will be used by the Applicant to provide residential treatment services for children ages 6-18 years and to provide office space for Home-Based counseling, Therapeutic Foster Care, Residential Group Homes and Wrap-Around services; 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 (the "Revised Project"); and

WHEREAS, the diversification of industry and the creation of opportunities for gainful employment (fifty (50) jobs at the end of one year and fifty-six (56) at the end of three years plus the creation of a construction job payroll) and the creation of business opportunities to be achieved by the acquisition, renovation, installation and equipping of the Revised Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

June 26, 1995

WHEREAS, the acquisition, renovation, installation and equipping of the Revised 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 Seven Million Six Hundred Thousand Dollars (\$7,600,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, installation and equipping of the Revised Project and the sale or leasing of the Revised Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition, renovation, installation and equipping of the Revised 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, renovation, installation and equipping of the Revised 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 December 31, 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 Revised 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 Revised 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 Revised Project and for additions to the Revised Project, including the costs of issuance (providing that the financing of such addition or additions to the Revised 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 and the Revised Project incurred after the date which is sixty (60) days prior to the adoption of City-County Special Resolution No. 93, 1994, 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, of the Project and the Revised Project as well as all costs of the acquisition, renovation, installation and equipping of the Revised Project will be permitted to be included as part of the bond issue to finance said Revised 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 Revised Project in accordance with the Final Regulations (TD 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Sec. 1.150-2.

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

PROPOSAL NO. 409, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 409, 1995 on June 15, 1995. The proposal amends S.R. No. 54, 1994, by extending the expiration date for North American Laboratory Company and SOHL Associates through December 31, 1995 (District 9). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Mullin, for adoption. Proposal No. 409, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Boyd, Ruhmkorff, West

1 NOT PRESENT: Giffin

Proposal No. 409, 1995 was retitled SPECIAL RESOLUTION NO. 57, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 57, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 54, 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. 54, 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 North American Laboratory Company or a to-be-formed corporation, partnership or limited liability company, the shareholders, partners or members of which will be existing shareholders of North American Laboratory Company (Ronald H. Stern, Michael R. Oestreicher, Diana Oestreicher and Phillip E. Himelstein) which Inducement Resolution set an expiration date of June 30, 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, the proposed economic development facilities will now be developed by SOHL Associates, LLC, an Indiana limited liability company (the "Company"); 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, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1995, contained therein and replacing said date with the date of December 31, 1995 and by approving and confirming that the proposed economic development facilities will now be developed by SOHL Associates, LLC, an Indiana limited liability company (the "Company").

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

June 26, 1995

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

PROPOSAL NO. 410, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 410, 1995 on June 15, 1995. The proposal amends S.R. No. 84, 1990, by extending the expiration date for Meadows Revival, Inc. through December 31, 1995 (District 11). By a 6-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Jones, for adoption. Proposal No. 410 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Franklin, Rhodes, Ruhmkorff, West

1 NOT PRESENT: Giffin

Proposal No. 410, 1995 was retitled SPECIAL RESOLUTION NO. 58, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 1995

A SPECIAL RESOLUTION amending City-County Special Resolution No. 84, 1990, 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. 84, 1990, 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 Meadows Revival, Inc. (the "Company") which Inducement Resolution set an expiration date of June 30, 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, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of June 30, 1995, contained therein and replacing said date with the date of July 31, 1995.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Sec. 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. 411, 1995. Councillor Borst reported that the Economic Development Committee heard Proposal No. 411, 1995 on June 15, 1995. The proposal is an Inducement

Resolution for Sutton Place Apartments, L.P., an Indiana limited partnership, to proceed with the acquisition, renovation and equipping of the existing 360-unit multi-family residential rental project located at 9350 East 43rd Street on approximately 35 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 14). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Williams, for adoption. Proposal No. 411, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Moriarty Adams, Ruhmkorff, West

1 NOT PRESENT: Giffin

Proposal No. 411, 1995 was retitled SPECIAL RESOLUTION NO. 59, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 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, Sutton Place Apartments, L.P., an Indiana limited partnership (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, renovation and equipping of the existing three hundred sixty (360) unit multi-family residential facility located at 9350 East 43rd, Indianapolis, Indiana on approximately 35 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 (the "Project");

WHEREAS, the diversification of industry and the retention of opportunities for gainful employment (ten (10) jobs) plus the creation of a construction job payroll and the creation of business opportunities to be achieved by the acquisition, renovation 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 Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Sec. 42 of the Internal Revenue Code of 1986, as amended or any successor section thereof in connection with the Project and the Indiana Housing Finance Authority;

WHEREAS, the acquisition, renovation 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 retention 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

June 26, 1995

industry, the creation of business opportunities, and the retention 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 Seven Million Dollars (\$7,000,000) under the Act to be privately placed or publicly offered with credit enhancement for the acquisition, renovation, 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, renovation 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, renovation, installation and equipping of the Project, this Council hereby finds, determines, ratifies and confirms that (I) subject to the Applicant making and in good faith pursuing a request to the Issuer to vacate a portion of Meadowlark Drive to be agreed upon by the Issuer and the Applicant, 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 December 31, 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 (I) 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, renovation 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 Sec. I.150-2.

SECTION 5. The City-County Council recognizes that the Applicant intends to utilize Low Income Housing Tax Credits, if available, pursuant to Sec. 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

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

PROPOSAL NOS. 427-428, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 14, 1995." The Council did not schedule Proposal Nos. 427-428, 1995 for hearing pursuant to IC-36-7-4-608. Proposal Nos. 427-428, 1995 were retitled REZONING ORDINANCE NOS. 89-90, 1995 and are identified as follows:

Journal of the City-County Council

REZONING ORDINANCE NO. 89, 1995. 95-Z-53. WASHINGTON TOWNSHIP.

COUNCILMANIC DISTRICT # 3.

8101 DEAN ROAD (Approximate Address), INDIANAPOLIS.

SYCAMORE SPRINGS DEVELOPMENT GROUP, LLC, by Philip A. Nicely, requests the rezoning of 129.5 acres, being in the SU-3 (FF), C-I (FF), D-A (FF) Districts, to the development with a total of 392 dwelling units, consisting of 322 single-family units and 70 townhouse units and 5 acres of commercial development.

REZONING ORDINANCE NO. 90, 1995. 95-Z-73 (Amended). PERRY TOWNSHIP.

COUNCILMANIC DISTRICT #24.

4784 EAST EDGEWOOD AVENUE (Approximate Address), INDIANAPOLIS.

TIMBER GROVE, INC., by Michael J. Kias, requests the rezoning of 11.38 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

PROPOSAL NOS. 429-436, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 22, 1995."

Councillor Smith made the following motion:

Mr. President:

I move that Proposal No. 429, 1995 (Rezoning Case 95-Z-58) be scheduled for a hearing before this Council at its next regular meeting on July 17, 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.

s/Councillor David Smith

Proposal No. 429, 1995 was scheduled for public hearing by consent. Proposal No. 429, 1995 is identified as follows:

REZONING PETITION NO. 95-Z-58. FRANKLIN TOWNSHIP.

COUNCILMANIC DISTRICT #23.

5401 EAST SOUTHPORT ROAD (Approximate Address), INDIANAPOLIS.

REGENCY WINDSOR DEVELOPMENT, INC., by Philip A. Nicely, requests the rezoning of 44 acres, being in the D-A District, to the D-6II classification to provide for development of an apartment village.

The Council did not schedule Proposal Nos. 430-436, 1995 for hearing pursuant to IC-36-7-4-608. Proposal Nos. 430-436, 1995 were retitled REZONING ORDINANCE NOS. 91-97, 1995 and are identified as follows:

REZONING ORDINANCE NO. 91, 1995. 95-Z-86. FRANKLIN TOWNSHIP.

COUNCILMANIC DISTRICT #23.

6673 SOUTH EMERSON AVENUE (Approximate Address), INDIANAPOLIS.

EMERSON WOODS LLC, by Raymond Good, requests the rezoning of 19.209 acres, being in the D-A (FF) (FW) District, to the D-P (FF) (FW) classification to provide for a planned unit development condominium project, consisting of duplexes and 4-unit buildings totaling 84 units.

REZONING ORDINANCE NO. 92, 1995. 95-Z-61. DECATUR TOWNSHIP.

COUNCILMANIC DISTRICT #19.

7531 TROTTER ROAD (Approximate Address), INDIANAPOLIS.

LARRY D. AND KIM M. MCELROY, by Raymond Good, request the rezoning of 0.75 acres, being in the D-A District to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 93, 1995. 95-Z-67. FRANKLIN TOWNSHIP.

COUNCILMANIC DISTRICT #23.

7881 SOUTH EMERSON AVENUE (Approximate Address), INDIANAPOLIS.

THARP INVESTMENTS, by Peter D. Cleveland, requests the rezoning of 4.5 acres, being in the D-A District, to the C-3 classification to provide for a commercial retail center.

June 26, 1995

REZONING ORDINANCE NO. 94, 1995. 95-Z-71. CENTER TOWNSHIP.
COUNCILMANIC DISTRICT #16.
501 MADISON AVENUE (Approximate Address), INDIANAPOLIS.
JOSEPH AND MARGARET PEARSON request the rezoning of 0.33 acres, being in the I-3-U (RC) District, to the CBD-2 (RC) classification to provide for a 23 unit apartment complex, with 24 interior parking spaces, tenant storage and common area.

REZONING ORDINANCE NO. 95, 1995. 95-Z-82. DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT #19.
6450 WEST HANNA AVENUE (Approximate Address), INDIANAPOLIS.
DOGLOO, INCORPORATED, by Joseph M. Scimia, requests the rezoning of 1.31 acres, being in the I-2-S District, to the I-3-S classification to provide for industrial use.

REZONING ORDINANCE NO. 96, 1995. 95-Z-83. PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #24.
2401 NATIONAL AVENUE (Approximate Address), INDIANAPOLIS.
PRIMO CATERING AND BANQUET HALL, INC., by David Gilman, requests the rezoning of 5.381 acres, being in the D-7 District, to the C-S classification to provide for a 28,000 square foot catering hall, with a seating capacity of 1,000.

REZONING ORDINANCE NO. 97, 1995. 95-Z-84. PERRY TOWNSHIP.
COUNCILMANIC DISTRICT #24.
2405 NATIONAL AVENUE (Approximate Address), INDIANAPOLIS.
LA ROSA ENTERPRISES, INC., by David Gilman, requests the rezoning of 3.639 acres, being in the D-7 District, to the C-S classification to provide for a mixed-use office and warehouse facility, limited to C-1 and I-2-S uses.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Dowden asked for consent to hear Proposal No. 354, 1995 at this time. Consent was given.

[Clerk's Note: Councillor Franklin stated that he would like the record to reflect that he abstained from voting on Proposal No. 410, 1995 due to a conflict of interest.]

PROPOSAL NO. 354, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 354, 1995 on May 31, 1995. The proposal is an appropriation of \$102,315 for the County Auditor to pay the 1995 rent payments for the Family Advocacy Center (the "Center") financed by revenues from the County General Fund. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:57 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption.

Councillor Jimison stated that this is a vital program and urged the Council to support the proposal.

Councillor Golc asked if monies were appropriated for the Center's rent payments in the 1995 budget. John von Arx, Marion County Auditor, answered in the affirmative. Councillor Golc asked why the Center is now unable to pay its rent. Mr. von Arx stated that the Board for the Center was supposed to raise part of the rent money, but due to the Board's "growing pains" the goal was not met. However, the Board has been diligently working to make up for the shortfall. Councillor Golc asked what measures have been taken to insure that the same situation does not arise next year. Mr. von Arx stated that the Board is actively seeking other Federal grants. Mr.

von Arx also stated that the Board has been restructured in order to assure that there will be proper management.

Councillor West stated that the Center is paying rent for 28% of the building it occupies when the Center actually occupies only 11% of the space. Mr. West stated that proper rent allocation would reduce the deficit and asked William G. Lantz, III, Deputy Auditor, to investigate the matter. Mr. Lantz agreed.

Councillor Schneider stated that he is against this proposal. He stated that the Council should not be "bailing out" other agencies that have rent problems. He also suggested that there are other, more economical, buildings to rent within the city.

Councillor Beadling asked if the County will have to pay the rent even if this proposal is not passed. Mr. von Arx stated that the County has an obligation to pay for the total rent for county offices housed in that building. The building is currently occupied by offices including: Marion County Sheriff, Indianapolis Police Department, Marion County Prosecutor, Child Protective Services, as well as the Center. If the rent is not paid, the Center will no longer be tenants in the building. Councillor Beadling asked if the rental lease expires at the end of 1995. Mr. von Arx answered in the negative.

Councillor McClamroch stated that he will not be supporting this proposal. He stated that the Center is a private, not-for-profit entity and the Council should not reward it for its mismanagement.

Councillor West stated that the Center is a quasi public agency with an important public function. He urged the Council to support the proposal.

Proposal No. 354, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 354, 1995 was retitled FISCAL ORDINANCE NO. 59, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Two Thousand Three Hundred Fifteen Dollars (\$102,315) 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 expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of County Auditor to finance 1995 rent payment for the Family Advocacy Center.

SECTION 2. The sum of One Hundred Two Thousand Three Hundred Fifteen Dollars (\$102,315) 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.

June 26, 1995

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	<u>102,315</u>
TOTAL INCREASE	102,315

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>102,315</u>
TOTAL REDUCTION	102,315

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

PROPOSAL NO. 312, 1995. Councillor O'Dell reported that the Community Affairs Committee heard Proposal No. 312, 1995 on June 12, 1995. The proposal 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. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:00 p.m. There being no one present to testify, Councillor O'Dell moved, seconded by Councillor Jimison, for adoption. Proposal No. 312, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 312, 1995 was retitled FISCAL ORDINANCE NO. 60 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional One Hundred Eight Thousand Dollars (\$108,000) in the Consolidated County Fund for purposes of the Office of Youth and Family Services and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Office of Youth and Family Services to provide emergency shelter to families or individuals at risk of being homeless.

SECTION 2. The sum of One Hundred Eight Thousand Dollars (\$108,000) 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>OFFICE OF YOUTH AND FAMILY SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>108,000</u>
TOTAL INCREASE	108,000

Journal of the City-County Council

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

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>108,000</u>
TOTAL REDUCTION	108,000

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

PROPOSAL NOS. 338-339, 1995. PROPOSAL NO. 338, 1995. The proposal consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel. PROPOSAL NO. 339, 1995. The proposal 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. Councillor Rhodes moved, seconded by Councillor Jimison, to postpone Proposal Nos. 338-339, 1995 and reassign to the Capital Asset Management Committee for further discussion. Proposal Nos. 338-339, 1995 were postponed by a unanimous voice vote.

PROPOSAL NO. 340, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 340, 1995 on June 19, 1995. The proposal 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. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:11 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption.

Councillor Williams asked if the consultant has been named. Councillor Curry stated that the consultant will be Jayne Gerdemann.

Proposal No. 340, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 340, 1995 was retitled FISCAL ORDINANCE NO. 61, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 61, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Thirty-eight Thousand Four Hundred Forth-nine Dollars (\$38,449) in the Consolidated County Fund for purposes of the City-County Council and reducing certain other appropriations for that Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (c) and (d) of the City-County Annual Budget for 1995, be and is hereby

June 26, 1995

amended by the increases and reductions hereinafter stated for purposes of City-County Council to contract for a cable television consultant.

SECTION 2. The sum of Thirty-eight Thousand Four Hundred Forty-nine Dollars (\$38,449) and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>CITY-COUNTY COUNCIL</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>38,449</u>
TOTAL INCREASE	38,449

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

<u>CABLE COMMUNICATIONS AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	<u>38,449</u>
TOTAL REDUCTION	38,449

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

PROPOSAL NO. 341, 1995. Councillor West stated that the Metropolitan Development Committee heard Proposal No. 341, 1995 on June 20, 1995. The proposal 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. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor West stated that additional information regarding this proposal was provided after the Committee hearing and the matter should be re-examined. Councillor West moved, seconded by Councillor McClamroch, to return Proposal No. 341, 1995 to Committee for further discussion.

Councillor Hinkle asked if this proposal could be split into two components, allowing the Council to (1) vote on the project that is ready to proceed, and (2) return to Committee the project that remains in question. Robert G. Elrod, General Counsel, stated that, in theory, that could be done. Sherry Kohlmeyer, Project Administrator, Housing and Development Services, stated that the Community Development Block Grant money for these two projects must be signed for at the same time. It would be possible to sign for both projects, however, only appropriate the money for one project.

Councillor McClamroch stated that, in light of the new information, this matter needs further discussion in Committee.

Proposal No. 341, 1995 was returned to committee by the following roll call vote; viz:

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

PROPOSAL NO. 373, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 373, 1995 on June 14, 1995. The proposal is an appropriation of \$880,309 to pay Community Corrections operational expenses for fiscal year

1995/1996 financed by state and federal grants. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:34 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hinkle, for adoption. Proposal No. 373, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 373, 1995 was retitled FISCAL ORDINANCE NO. 62, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 62, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Eight Hundred Eighty Thousand Three Hundred Nine Dollars (\$880,309) in the State and Federal Grants Fund for purposes of County Auditor and Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 (b) and (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Auditor and Community Corrections to cover operational expenses for fiscal year 1995/1996.

SECTION 2. The sum of Eight Hundred Eighty Thousand Three Hundred Nine Dollars (\$880,309) 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>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	279,509
2. Supplies	19,000
3. Other Services and Charges	516,594
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	65,206
TOTAL INCREASE	880,309

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered State and Federal Grants Fund	880,309
TOTAL REDUCTION	880,309

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

PROPOSAL NO. 376, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 376, 1995 on June 14, 1995. The proposal is an appropriation of \$77,234 for Community Corrections to fund the Juvenile Court Intensive

June 26, 1995

Probation Services Program for fiscal year 1995/1996 financed by state and federal grants. 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 9:34 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 376, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 376, 1995 was retitled FISCAL ORDINANCE NO. 63, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Seventy-seven Thousand Two Hundred Thirty-four Dollars (\$77,234) in the State and Federal Grants Fund for purposes of the County Auditor and Community Corrections Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b) and (aa) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of County Auditor and Community Corrections Agency to fund the fiscal year 1995/1996 Juvenile Court Intensive Probation Services Program.

SECTION 2. The sum of Seventy-seven Thousand Two Hundred Thirty-four Dollars (\$77,234) 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>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	58,068
3. Other Services and Charges	4,650
<u>COUNTY AUDITOR</u>	
1. Personal Services - fringes	14,516
TOTAL INCREASE	77,234

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	77,234
TOTAL REDUCTION	77,234

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

PROPOSAL NO. 377, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 377, 1995 on June 14, 1995. The proposal is an

appropriation of \$43,750 for Community Corrections to fund Prosecutor Newman's Project Strategic Intervention with Brothers and Sisters (Project SIBS) (formerly Project Courage) financed by state and federal grants. 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 9:35 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 377, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Gray*

1 ABSENT: *Giffin*

Proposal No. 377, 1995 was retitled FISCAL ORDINANCE NO. 64, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 64, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Forty-three Thousand Seven Hundred Fifty Dollars (\$43,750) in the State and Federal Grants Fund for purposes of Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(bb) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Community Corrections funding of Prosecutor Newman's Project Strategic Intervention with Brothers and Sisters (Project SIBS) for fiscal year 1995/1996.

SECTION 2. The sum of Forty-three Thousand Seven Hundred Fifty Dollars (\$43,750) 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>COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>43,750</u>
TOTAL INCREASE	43,750

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>43,750</u>
TOTAL REDUCTION	43,750

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 232, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 232, 1995 on June 19, 1995. The proposal allows the use of benefit leave time by County employees prior to its accrual. By a 6-0 vote, the Committee

June 26, 1995

reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption.

Councillor West stated that the Council should try to keep the City and the County benefit leave policies in balance with one another.

Councillor Golc asked if the employees in question are seasonal in the sense that they work during a department's busy time as interim employees. And, if so, how do these employees accrue benefit time. Councillor Rhodes stated that the employees in question are full-time employees that work in a department that has a very seasonal schedule. This proposal would allow these employees to take benefit leave in advance of earning it in order to allow the employees to be present during the peak business times for the department.

Proposal No. 232, 1995, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 232, 1995, as amended, was retitled GENERAL ORDINANCE NO. 93, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 93, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County," Sec. 23-26, Benefit leave.

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

SECTION 1. Sec. 23-26 of the Code of Indianapolis and Marion County is hereby amended by deleting the words stricken-through and adding the words underlined to read as follows:

Sec. 23-26. Benefit leave.

(a) Accrual schedule for city employees and applicable county and township assessors' offices whose employees normally are scheduled to work a forty (40) hour week.

- (1) Employees with less than five (5) continuous years of employment shall accrue benefit leave monthly at the rate of fourteen and sixty-six hundredths (14.66) hours per month.
- (2) Employees who have completed five (5) continuous years of employment but less than ten (10) continuous years of employment shall accrue benefit leave monthly at the rate of eighteen (18) hours per month.
- (3) Employees who have completed ten (10) years of continuous employment but less than fifteen (15) years of continuous employment shall accrue benefit leave monthly at the rate of twenty one and thirty three hundredths (21.33) hours per month.
- (4) Employees who have completed at least fifteen (15) years of continuous employment shall accrue benefit leave at the rate of twenty four and sixty six hundredths (24.66) hours per month.
- (5) Benefit leave can only accrue if the employee works, or is on a paid leave of absence, or is receiving worker's compensation (or any combination of the three) for more than half of the month.

(b) Accrual schedule for applicable county and township assessors' offices whose employees are normally scheduled to work a thirty seven and one half (37½) hour week.

(1) Employees with less than five (5) continuous years of employment shall accrue benefit leave monthly at the rate of thirteen and seventy five hundredths (13.75) hours per month.

(2) Employees who have completed five (5) continuous years of employment but less than ten (10) continuous years of employment shall accrue benefit leave monthly at the rate of sixteen and eight hundred seventy five thousandths (16.875) hours per month.

(3) Employees who have completed ten (10) continuous years of employment but less than fifteen (15) continuous years of employment shall accrue benefit leave monthly at the rate of twenty (20) hours per month.

(4) Employees who have completed at least fifteen (15) continuous years of employment shall accrue benefit leave monthly at the rate of twenty three and one hundred twenty five thousandths (23.125) hours per month.

(5) Benefit leave can only accrue if the employee works, is on a paid leave of absence, or on worker's compensation for more than half of the month.

(c) Charging benefit leave. Benefit leave shall be charged at the rate the employee is scheduled to work.

(d) Eligibility for accrual.

(1) Those employees who are starting to work on or before the fifteenth day of the month shall have their accounts credited with the appropriate benefit leave time on the first day of the month following the month in which they were hired.

(2) Those employees who are starting to work after the fifteenth day of the month shall have their accounts credited with the appropriate benefit leave time on the first day of the second month following the month in which they were hired.

(3) Employees who have been terminated or who have resigned from city or county employment will receive credit for benefit leave for the month they left employment only if they worked past the fifteenth day of the month.

(e) Use of benefit leave. The final right to approve use of benefit leave shall rest with the office, department, division, bureau or commission involved in order to preserve efficiency and provide the necessary service.

(f) Part-time employees. Part-time employees shall be entitled to benefit leave; however, leave accrual and pay for these employees shall be prorated based upon the average hours scheduled during the previous six (6) months of employment.

(g) When benefit leave does not accrue. No benefit leave shall accrue while an employee is on any leave without pay status. No temporary/seasonal or part-time/temporary employee is eligible to accrue benefit leave or pay.

(h) Benefit leave carryover.

(1) For City and County employees paid on a bi-weekly basis: Benefit leave shall be taken within the calendar year in which it is accumulated or it shall be lost. However, up to a maximum of one hundred seventy six (176) hours (one hundred sixty five (165) where appropriate) of benefit leave may be carried over from one calendar year to the next calendar year, provided the officials retain the right to schedule such carryover at their discretion in order to maintain the efficiency of the operation involved. In addition, an employee who is required by management to work during a period which the employee had been previously scheduled to take benefit leave and who is unable due to the demands of his/her position to reschedule the benefit leave for that calendar year may be allowed, with the approval of the Mayor or the appropriate elected official or agency head to carry over an additional eighty (80) hours (seventy five (75) where appropriate) of benefit leave, subject to such restrictions as may be imposed by the Mayor or the appropriate elected official or agency head. Benefit

June 26, 1995

leave in excess of the maximum carryover amount shall be added to an employee's short term disability leave bank, if that bank is not at maximum accrual.

- (2) For City employees covered by the current Master Agreement between the City and the American Federation of State, County and Municipal employees: Benefit leave shall be taken within the calendar year in which it is accumulated or it shall be lost. However, up to a maximum of the number of hours which the employee can accrue in a calendar year may be carried over from one calendar year to the next calendar year, provided the officials retain the right to schedule such carryover at their discretion in order to maintain the efficiency of the operation involved. In addition, an employee who is required by management to work during a period which the employee had been previously scheduled to take benefit leave and who is unable due to the demands of his/her position to reschedule the benefit leave for that calendar year may be allowed, with the approval of the Mayor to carry over an additional eighty (80) hours of benefit leave, subject to such restrictions as may be imposed by the Mayor. Benefit leave in excess of the maximum carryover amount shall be added to an employee's short term disability leave bank, if that bank is not at maximum accrual.

(i) Two weeks' notice. Two (2) weeks' notice must be given upon voluntary resignation in order to receive payment for accrued benefit leave.

(j) Employees who are terminated or separate employment prior to the completion of six (6) months of employment will not be paid for accumulated, unused benefit leave.

(k) Employees transferred from non-city or non-county entities. Any person who becomes an employee as a result of a transfer of the duties of his/her former employer to the city or county may, upon the approval of the appropriate official, use his/her most recent hire date with the former employer for the purpose of determining benefit leave accrual.

(l) Advance use of benefit leave. Employees of Marion County offices and agencies (including Marion County Courts) may not use or be paid for benefit leave hours before such hours are accrued. However, an elected official or agency who wishes to allow employees to use benefit leave up to one week in advance may request permission to do so from the Marion County Job Classification and Compensation Board. The Board may grant permission to the elected official to allow up to one week use of benefit leave under such circumstances as the Board deems advisable. Any benefit leave so advanced which remains outstanding upon an employee's termination shall be collected or withheld from the employee's final pay.

SECTION 2. The expressed 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 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if 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.

PROPOSAL NO. 365, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 365, 1995 on June 20, 1995. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #9, #22, #26, and #27. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Gilmer, for adoption. Proposal No. 365, 1995 was adopted on the following roll call vote; viz:

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

3 NOT VOTING: Brents, Golc, Gray

1 NOT PRESENT: Giffin

Proposal No. 365, 1995 was retitled GENERAL ORDINANCE NO. 94, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1995

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, Indiana, which Ordinance includes the Comprehensive Zoning Maps of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana Ordinances for the zoning or districting of all lands within the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; now, therefore:

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

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to update specifically base maps #9, #22, #26, and #27 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land within the area noted on the four sections of base map #9, the four sections of base map #22, the four sections of base map #26, and the four sections of base map #27 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby updating said Comprehensive Zoning Maps to include various rezonings by individual legal description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supercede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to February 22, 1995, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said MAPS in a subsequent map updating amendment hereto).

SECTION 3. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal Airport Zoning Ordinance (94-AO-2, which includes the language of the former Airspace District Zoning Ordinance [62-AO-2] as amended) and the Airspace District Map adopted as a part thereof, establishing the Airspace District as a secondary zoning district of Marion County, Indiana.

SECTION 4. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal the Floodway and Floodway District Fringe zoning district boundaries, as adopted under Metropolitan Development Commission docket number 92-AO-7.

SECTION 5. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Councillor Rhodes asked for consent to hear Proposal Nos. 367-368, 1995 together. Consent was given.

PROPOSAL NOS. 367-368, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal Nos. 367-368, 1995 on June 19, 1995. PROPOSAL NO.

June 26, 1995

367, 1995. The proposal allows changes in salary schedules of County employees to become effective at other times than at beginning of a fiscal year. PROPOSAL NO. 368, 1995. The proposal amends county salary schedules to increase salary ranges for County employees. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass as amended. Councillor Rhodes moved, seconded by Councillor Ruhmkorff, for adoption. Proposal Nos. 367-368, as amended, were adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Black, Gilmer, Gray, Mullin

1 NOT PRESENT: Giffin

Proposal No. 367, 1995 was retitled GENERAL ORDINANCE NO. 95, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1995

A GENERAL ORDINANCE amending Chapter 23 of the Code to allow adjustments to the schedule of compensation of County employees to become effective other than just at the beginning of a fiscal year; now, therefore:

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

SECTION 1. Chapter 23 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by deleting the language stricken through to read as follows:

Sec. 23-62. General duties and responsibilities of the board in implementing and reviewing the classification and compensation system.

The board shall:

(a) Promulgate rules and regulations to implement compliance with the classification system adopted pursuant to paragraph (f) and with the schedule of compensation and to govern the performance of its responsibilities.

(b) Adopt a written system to classify the position of each county employee pursuant to the following criteria:

- (i) The amount of experience and training required;
- (ii) The amount of independent judgment required;
- (iii) The amount of supervisory responsibility involved;
- (iv) The type and quantity of interrelated networking involved;
- (v) The type of working conditions involved;
- (vi) Any other consideration material to the successful performance of the particular position.

(c) Classify the position of each county employee pursuant to the current schedule of compensation which shall be kept on file in the auditor's office.

(d) Review and classify "new positions" proposed by a department head except where the new position has the same job description as a position in existence. In this case, the department head shall notify the chairman of the board of such a position and the chairman of the board may assign to the new position a temporary classification which shall be presented to the board at the board's next meeting where the agenda can accommodate the topic. Any changes in classification that the board makes shall be effective prospectively but no later than the earliest time that payroll can administer the changes during the payroll period in which the changes are made by the board.

(e) Periodically review all job positions with input from the appropriate agency. The board shall review each job position at least once every five (5) years. After completing its review of each job position, the board shall determine whether the position requires reclassification.

(f) Review the schedule of compensation as often as considered necessary by the board but at least every five (5) years and recommend to the council salary ranges in the schedule of compensation based upon statistical analyses of the range of salaries actually paid by employers in the Indianapolis, Marion County, Indiana area for each respective classification. To make the statistical analysis, the board shall either hire a consultation firm or appoint the auditor and his staff to evaluate all pertinent factors which influence the salary market and to recommend to the board a modified schedule of compensation. The board may recommend a new schedule of compensation which reflects the statistical analysis and recommendations made by the auditor and/or the consultation firm. Such schedule of compensation shall, if approved by the council, govern the salaries of county employees. County employees' salaries shall be adjusted pursuant to the new schedule of compensation effective the first pay cycle of the next fiscal year following the adoption of the schedule by the council. The salary figures and any salary in between the ranges will be translated into hourly rates to determine the proper compensation for any given pay period.

SECTION 2. 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 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.

Proposal No. 368, 1995 was retitled GENERAL RESOLUTION NO. 2, 1995 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 1995

A GENERAL RESOLUTION to increase the salary schedule for Marion County employees.

WHEREAS, pursuant to Sec. 23-62 of the Code of Indianapolis and Marion County, the Marion County Job Classification Board has the responsibility of reviewing the schedule of compensation as often as considered necessary and making recommendations for a new schedule of compensation; and

WHEREAS, the current schedule of compensation has not been revised since the adoption of City-County General Resolution No. 8, 1991; and

WHEREAS, it is the recommendation of the Job Classification Board, based upon a statistical analysis, that the salary schedule be reviewed; 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, as the legislative and fiscal body of Marion County hereby adopts the following schedule of compensation for all Marion County employees, as defined by Sec. 23-61 of the Code of Indianapolis and Marion County, effective July 1, 1995:

<u>DBM RATING</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
A12	\$10,892	\$13,070	\$15,249
A13	12,295	14,754	17,213
B21	13,395	16,408	19,422
B22	14,670	17,971	21,272

June 26, 1995

B23	16,067	19,682	23,298
B24	17,598	21,557	25,516
B31	20,171	24,709	29,247
B32	23,527	28,821	34,115
C41	25,313	31,262	37,212
C42	27,013	33,360	39,708
C43	28,825	35,599	42,373
C51	30,892	38,615	46,338
C52	34,056	42,570	51,084
D61	34,311	43,746	53,181
D62	35,799	45,643	55,488
D63	38,201	48,706	59,211
D71	39,255	51,031	62,808
D72	43,276	56,258	69,241
E81	46,942	61,025	75,107
E82	50,091	65,119	80,147
E83	50,308	65,401	80,493

SECTION 2. The expressed 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 3. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if 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 resolution shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 370, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 370, 1995 on June 19, 1995. The proposal is an appropriation of \$200,000 for the Indianapolis Fleet Services to cover increased expenditures in the cost of contractual repairs for City vehicles financed by a transfer of funds within the division's Consolidated County Fund. 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 Shambaugh, for adoption. Proposal No. 370, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

2 NOT VOTING: Black, Gray

1 NOT PRESENT: Giffin

Proposal No. 370, 1995 was retitled FISCAL ORDINANCE NO. 65, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 65, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 70, 1994) transferring and appropriating an additional Two Hundred Thousand Dollars (\$200,000) in the Consolidated County Fund for purposes of the Department of Administration, Indianapolis Fleet Services and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Department of Administration, Indianapolis Fleet Services appropriating to cover additional costs and expenditures on City vehicles due to increase in accidents.

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

SECTION 3. The following transfer appropriation is hereby approved:

<u>DEPARTMENT OF ADMINISTRATION</u> <u>INDIANAPOLIS FLEET SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	\$200,000
TOTAL INCREASE	\$200,000

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

<u>DEPARTMENT OF ADMINISTRATION</u> <u>INDIANAPOLIS FLEET SERVICES</u>	<u>CONSOLIDATED COUNTY FUND</u>
2. Supplies	\$200,000
TOTAL REDUCTION	\$200,000

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

PROPOSAL NO. 371, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 371, 1995 on June 14, 1995. The proposal is an appropriation to adjust judicial and prosecutorial salaries to conform to statutory changes effective July 1, resulting in a net reduction in appropriated County General Funds of \$387,933. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Dowden moved, seconded by Councillor McClamroch, for adoption.

[Clerk's Note: Councillor Williams stated that she would abstain from voting due to a conflict of interest.]

Proposal No. 371, 1995, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 371, 1995, as amended, was retitled FISCAL ORDINANCE NO. 66, 1995 and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 66, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and unappropriating an additional One Hundred Twenty Thousand Six Hundred Eighteen Dollars (\$120,618) in the County General Fund for purposes of the County Auditor, Prosecuting Attorney; Circuit Court; Presiding Judge of the Municipal Court; Superior Courts, Criminal Divisions, Rooms One, Two, Three, Four, Five, and Six, Juvenile Division/Detention Center, Civil Divisions, Rooms One, Two, Three, Four, Five, Six, and Seven; Superior Court Title IV-D

June 26, 1995

Court; Marion County Drug Court; and Court Administration Agency and reducing certain other appropriations for those agencies.

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(b), (w), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii), (jj), (kk), (mm), (nn), (oo), (pp), (qq), (rr), (ss), (tt), (uu), (ww), of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of appropriations necessary to fund judicial and prosecutorial salaries in accordance with statutory changes effective July 1, 1995.

SECTION 2. The sum of One Hundred Twenty Thousand Six Hundred Eighteen Dollars (\$120,618) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>PROSECUTING ATTORNEY</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	2,641
<u>CIRCUIT COURT</u>	
3. Other Services and Charges	2,659
<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
3. Other Services and Charges	40,949
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	
3. Other Services and Charges	11,810
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM ONE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM TWO</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM THREE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE</u>	
3. Other Services and Charges	2,659
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SIX</u>	
3. Other Services and Charges	2,659

Journal of the City-County Council

<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SEVEN</u>	
3. Other Services and Charges	2,659
 <u>SUPERIOR COURT, PROBATE DIVISION</u>	
3. Other Services and Charges	2,659
 <u>SUPERIOR COURT, TITLE IV-D COURT</u>	
1. Personal Services	11,515
 <u>MARION COUNTY DRUG COURT</u>	
1. Personal Services	2,303
 <u>COURT ADMINISTRATOR AGENCY</u>	
1. Personal Services	<u>11,515</u>
 TOTAL INCREASE	120,618

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

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services - fringes	35,182
 <u>PROSECUTING ATTORNEY</u>	
1. Personal Services	14,586
 <u>CIRCUIT COURT</u>	
1. Personal Services	11,842
 <u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
1. Personal Services	182,367
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	
1. Personal Services	98,786
 <u>SUPERIOR COURT, CIVIL DIVISION, ROOM ONE</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, CIVIL DIVISION, ROOM TWO</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, CIVIL DIVISION, ROOM THREE</u>	
1. Personal Services	11,842
 <u>SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR</u>	
1. Personal Services	11,842

June 26, 1995

SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE

1. Personal Services 11,842

SUPERIOR COURT, CIVIL DIVISION, ROOM SIX

1. Personal Services 11,842

SUPERIOR COURT, CIVIL DIVISION, ROOM SEVEN

1. Personal Services 11,842

SUPERIOR COURT, PROBATE DIVISION

1. Personal Services 11,842

TOTAL DECREASE 508,551

SECTION 5. Section 5.01 of the City-County Fiscal Ordinance No. 88, 1994, specifically subsection (b), be, and is hereby, amended by deleting the stricken-through text and inserting the text underlined to read as follows:

ARTICLE FIVE
COMPENSATION OF OFFICERS AND EMPLOYEES

Section 5.01. Elected Officers.

(b) Elected County Officers. Effective January 1, 1995 the annual compensation of the elected county officers for the calendar year 1995 and thereafter until modified shall be as follows:

(1)	County Assessor	51,484
(2)	County Auditor	55,867
(3)	County Clerk	55,867
(4)	County Coroner	30,741
(5)	County Prosecutor	13,209
(6)	County Sheriff	28,250
(7)	County Recorder	48,454
(8)	County Surveyor	46,124
(9)	County Treasurer	55,867
(10)	Center Township Assessor	49,324
(11)	Decatur Township Assessor	38,390
(12)	Franklin Township Assessor	38,390
(13)	Lawrence Township Assessor	43,068
(14)	Perry Township Assessor	43,068
(15)	Pike Township Assessor	43,068
(16)	Warren Township Assessor	47,854
(17)	Washington Township Assessor	47,854
(18)	Wayne Township Assessor	47,854

The county prosecutor shall receives for the period January 1, 1995 through June 30, 1995 one half of Sixty One Thousand Seven Hundred Forty Dollars (\$61,740) from the state (IC 33-14-7-5) and one half of Thirteen Thousand Two Hundred Nine Dollars (\$13,209) from the county; and for the period July 1, 1995 through December 31, 1995 pursuant to IC 36-3-6-3(c) a county contribution of Two Thousand Six Hundred and Forty-one Dollars (\$2,641) including FICA and Medicaid contributions. The county contribution for Circuit, Superior, and Municipal Court Judges for the period January 1, 1995 through June 30, 1995 shall be one half of Twenty Three Thousand Six Hundred Eighty Four Dollars (\$23,684), consisting of Ten Thousand Four Hundred Seventy Five Dollars (\$10,475) required by IC 33-13-12-7 and an additional Thirteen Thousand Two Hundred Nine Dollars (\$13,209); and for the period July 1, 1995 through December 31, 1995 pursuant to IC 36-3-6-3(c) a county contribution of Two Thousand Six Hundred Fifty-nine Dollars (\$2,659) including FICA and Medicaid contributions.

The salary fixed for the county sheriff shall be increased to \$88,250 per annum if the sheriff has entered into a salary contract pursuant to either applicable ordinance or IC 36-2-13-2.5. The county assessor, county auditor and county treasurer, as ex-officio county commissioners, in addition to other compensation may be provided the use of an automobile.

All elected county officers shall be entitled to participate in other employee benefits on the same basis as other county employees.

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

President SerVaas asked for consent to hear Proposal Nos. 397-398, 1995 at this time. Consent was given.

PROPOSAL NOS. 397-398, 1995. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 397-398, 1995 on June 14, 1995. PROPOSAL NO. 397, 1995. The proposal amends the Revised Code concerning the Public Defender Board and Agency to conform to the comprehensive plan adopted by the Board. PROPOSAL NO. 398, 1995. The proposal approves a comprehensive plan for indigent defense services in non-capital cases. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal Nos. 397-398, 1995 were adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 397, 1995 was retitled GENERAL ORDINANCE NO. 96, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 96, 1995

A GENERAL ORDINANCE amending Chapter 286 of the Revised Code concerning the Public Defender Board and Agency.

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

SECTION 1. Chapter 286 of the "Revised Code of the Consolidated City and County," specifically Secs. 286-5 and 286-6, be, and is hereby, amended (by deleting the stricken-through text and inserting the underlined text) to read as follows:

CHAPTER 286. MARION COUNTY PUBLIC DEFENDER BOARD AND AGENCY

Sec. 286-5. Chief public defender.

- (a) The chief public defender shall:
 - (1) Be the chief administrator of the agency and devote full time and employment to such position.
 - (2) Review a determination of indigency and eligibility for legal representation by the agency staff when requested to do so by a defendant/respondent.
 - (3) Maintain offices for the agency as approved by the board.
 - (4) Establish within the agency such trial divisions of public defenders to represent indigent defendants/respondents as necessary.
 - (5) Hire without consideration of political affiliation, with the approval of the board, staff necessary to perform the services of the agency and supervise and discipline such staff.
 - (6) Keep and maintain records of all cases handled by the agency and report at least annually to the board concerning the operation of the agency, its costs and projected needs.

June 26, 1995

- (7) Ensure adequate, appropriate and consistent assignment of cases to public defenders.
 - (8) Provide/establish a method of merit evaluation for public defenders, not less than yearly.
- (b) Pending appointment of a chief public defender, the president of the city-county council shall appoint a member of the state bar to serve as interim administrator of the public defender agency. Such interim administrator shall assist in organizing the board and agency.

Sec. 286-6. Plan for provision of legal representation.

On or before June 15, 1993, the board shall prepare and submit to the city-county council for approval has approved by resolution a comprehensive plan for the provision of legal representation to indigent defendants/respondents in the county. The comprehensive plan shall, at a minimum, provide for which includes:

- (1) Provision of legal representation to an indigent defendant/respondent at the earliest possible point in time.
- (2) The legal representation of an indigent defendant/respondent by the same attorney or attorneys through the pendency of a matter to the greatest extent possible.
- (3) The use of qualified attorneys who will volunteer to provide legal representation to one (1) or more indigent defendants/respondents without charge to the greatest extent possible.
- (4) Professional development, continuing legal education, and malpractice coverage for public defenders.
- (5) Formal or informal agreements with the county prosecutor and law enforcement agencies establishing simplified procedures for expediting discovery and other communications with respect to pending cases, consistent with applicable court rules.
- (6) Utilization of all available sources of governmental and nongovernmental funding including, but not limited to, payment or repayment for services rendered from persons served in accordance with IC 33-9-11.5.
- (7) Periodic reevaluation of the operation of the agency and the accomplishment of its purpose.
- (8) Recommendation of a system for providing appellate counsel which is independent of the control of the chief public defender.

Such plan may be amended by the board with approval of the council.

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

Proposal No. 398, 1995 was retitled GENERAL RESOLUTION NO. 3, 1995 and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 1995

A GENERAL RESOLUTION approving a comprehensive plan for indigent defense services in non-capital cases.

WHEREAS, Chapter 286 of the Revised Code of the Consolidated City and County required the Marion County Public Defender Board to adopt a comprehensive plan for legal representation of indigents; and

WHEREAS, the Public Defender Board did adopt such plan on March 28, 1995; and

WHEREAS, the Council determines that such plan should be approved; now, therefore:

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

Journal of the City-County Council

SECTION 1. The City-County Council does hereby approve, pursuant to Sec. 286-6 of the Revised Code, the "Comprehensive Plan for Indigent Defense Services in Non-Capital Cases" as adopted by the Marion County Public Defender Board, a copy of which is attached hereto and marked Exhibit A.

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

President SerVaas asked for consent to hear Proposal Nos. 412-413, 1995 at this time. Consent was given.

PROPOSAL NO. 412, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 412, 1995 on June 20, 1995. The proposal approves the disbursement of the additional \$2,814,548 of Community Development Block Grant funds appropriated June 12, 1995. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Boyd, for adoption. Proposal No. 412, 1995 was adopted on the following roll call vote; viz:

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

1 NAY: Shambaugh

1 NOT VOTING: Gray

1 NOT PRESENT: Giffin

Proposal No. 412, 1995 was retitled SPECIAL RESOLUTION NO. 60, 1995 and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 60, 1995

A SPECIAL RESOLUTION approving the amount, location and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, on June 12, 1995, the City-County Council, of the City of Indianapolis and of Marion County, Indiana ("Council") adopted City-County Fiscal Ordinance No. 54, 1995, an amendment to the 1995 Annual Budget and Tax levies for the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.0I of the Budget Ordinance, as approved by the Council, reads as follows:

SECTION 4.0I. State, local and federal grants.

(a) Grant Applications Authorized. The Mayor of the Consolidated City of Indianapolis is hereby authorized to make such applications as may be required by federal or state laws or regulation in order to apply for, and receive, such state or federal grants or payments as are anticipated, allocated and approved for expenditure by inclusion in this ordinance.

(b) Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

(c) Public Purpose Local Grants. The sums appropriated for public purposes grants as part of this ordinance shall not be spent until this Council by resolution approves the amount and identity of the recipient of each grant.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has submitted its supplemental amendment to the 1995 Community Development Block Grant Community Development Committee Recommendation utilizing a portion of the Community Development Grant Funds, to the Council for its approval pursuant to Section 4.0I of the Budget Ordinance; and

June 26, 1995

WHEREAS, Council now finds that the amounts, locations and programmatic operation of each of the projects submitted by the Department of Metropolitan Development, should be approved; now, therefore:

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

SECTION 1. That portion of the Community Development Committee's Recommendations for distribution of certain Community Development Block Grant Funds, submitted to the Council by the Department of Metropolitan Development, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved, and the amount, location and programmatic operation of the project set forth therein, is hereby approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01 of the Budget Ordinance.

EXHIBIT A

1995 COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS	
PROJECT	COST
Unity Park Reimbursement	\$1,300,000
Riverside Project	850,000
Infrastructure projects in tandem with DCAM	640,548
Habitat for Humanity/Meridian Kellsler Development Corp.	24,000
Total	\$2,814,548

PROPOSAL NO. 413, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 413, 1995 on June 20, 1995. The proposal amends the Dwelling Districts Zoning Ordinance to provide for a 3000 foot separation between group homes for the mentally ill. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Williams, for adoption. Proposal No. 413, 1995 was adopted on the following roll call vote; viz:

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

Proposal No. 413, 1995 was retitled GENERAL ORDINANCE NO. 97, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 1995

AN ORDINANCE amending the Code of Indianapolis and Marion County, Indiana, Appendix D, as amended, the Zoning Ordinance for Marion County which ordinance includes the Dwelling Districts Zoning Ordinance, as amended, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4, establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana, ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and,

Journal of the City-County Council

WHEREAS, the City-County Council and neighborhood representatives have expressed concern over the potential clustering of group homes for the mentally ill in certain portions of the community; and,

WHEREAS, current State Statute (IC 12-28-4-7) allows for a local zoning ordinance to provide for up to a 3000 foot separation between group homes for the mentally ill, now, therefore:

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

SECTION 1. The Dwelling Districts Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Appendix D, (adopted under Metropolitan Development Commission docket Numbers 89-AO-2, 90-AO-3, 92-AO-1, 92-AO-3, 93-AO-4, and 95-AO-1), as amended, be amended as follows:

A. That Section 2.00, A, be amended by inserting the underscored language as follows:

8. Requirement for Group Homes for the Mentally Ill.

In any Dwelling District, a group home (as defined in section 2.25), for the mentally ill shall be excluded from a residential area if the group home is located within three thousand (3,000) feet of another group home for the mentally ill, as measured between lot lines.

B. That Section 2.01, A, 1; 2.02, A, 1, b.; 2.03, A, 1, b.; 2.04, A, 1, b.; 2.05, A, 1, c.; 2.06, A, 1, c.; 2.07, A, 1, c.; 2.08, A, 1, c.; 2.09, A, 1, c.; 2.10, A, 1, b.; 2.11, A, 1, b.; 2.12, A, 1, b.; 2.13, A, 1, b.; 2.14, A, 1, b.; and 2.15, A, 2 be amended by deleting the stricken-through language and inserting the underscored language as follows: GROUP HOMES, as defined in Section 2.25. and as regulated in Section 2.00, A, 8.

SECTION 2. If any section of this ordinance shall be invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall be in full force and effect upon its adoption in compliance with IC 36-7-4.

PROPOSAL NO. 320, 1995. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at Washington Boulevard and 32nd Street (Districts 6, 22). Councillor Gilmer moved, seconded by Councillor West, to strike. Proposal No. 320, 1995 was stricken by a unanimous voice vote.

PROPOSAL NO. 379, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 379, 1995 on June 21, 1995. The proposal, sponsored by Councillors Gilmer and Gray, authorizes traffic signals at Kessler Boulevard and the two 38th Street ramps (Districts 2, 9). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Jones, for adoption. Proposal No. 379, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Golc, Gray, Moriarty Adams

1 NOT PRESENT: Giffin

Proposal No. 379, 1995 was retitled GENERAL ORDINANCE NO. 98, 1995 and reads as follows:

June 26, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 98, 1995

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
17, Pg. 11	Kessler Blvd N Dr & 38th St Ramp N	Kessler Blvd N Dr	Stop
17, Pg. 12	Kessler Blvd N Dr & 38th St Ramp S	Kessler Blvd N Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
17, Pg. 11	Kessler Blvd N Dr & 38th St Ramp N	None	Signal
17, Pg. 12	Kessler Blvd N Dr & 38th St Ramp S	None	Signal

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

Councillor Gilmer asked for consent to hear Proposal Nos. 380-388, 1995 together. Consent was given.

PROPOSAL NOS. 380-388, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 380-388, 1995 on June 21, 1995. PROPOSAL NO. 380, 1995. The proposal, sponsored by Councillor Smith, authorizes stop signs for the Spring Oaks Subdivision - Section One (District 23). PROPOSAL NO. 381, 1995. The proposal, sponsored by Councillor Borst, authorizes stop signs for the Village of Orchard Park subdivision (District 25). PROPOSAL NO. 382, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Riley Avenue and 19th Street (District 15). PROPOSAL NO. 383, 1995. The proposal, sponsored by Councillor Beadling, authorizes a multi-way stop at Anchor Bay Court, Anchor Bay Drive, and Old Stone Drive (District 5). PROPOSAL NO. 384, 1995. The proposal, sponsored by Councillor Rhodes, authorizes multi-way stops at Ralston Avenue and Randall Road, and at 75th Street and Ralston Avenue (District 7). PROPOSAL NO. 385, 1995. The proposal, sponsored by Councillor Rhodes, authorizes a multi-way stop at Norwaldo Avenue and 61st Street (District 7). PROPOSAL NO. 386, 1995. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at State Avenue and Walker Avenue (District 21). PROPOSAL NO. 387, 1995. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Combs Road and Stop 11 Road (District 23). PROPOSAL NO. 388, 1995. The proposal, sponsored by Councillor Smith, authorizes a multi-way stop at Hickory Road and Indian Creek Road South (District 23). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Gilmer moved, seconded by Councillor Borst, for adoption. Proposal Nos. 380-388, 1995 were adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 380, 1995 was retitled GENERAL ORDINANCE NO. 99, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 99, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection 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>
40, Pg. 1	Arlington Av & Spring Oaks Dr	Arlington Av	Stop
40, Pg. 3	Black Oaks Way & Spring Oaks Way	Black Oaks Way	Stop
40, Pg. 10	Iron Oaks Ct & Spring Oaks Dr	Spring Oaks Dr	Stop
40, Pg. 12	Silver Oaks Dr & Spring Oaks Dr	Spring Oaks Dr	Stop
40, Pg. 12	Spring Oaks Dr & Trophy Oaks Ct	Spring Oaks Dr	Stop

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

Proposal No. 381, 1995 was retitled GENERAL ORDINANCE NO. 100, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 100, 1995

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

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

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

June 26, 1995

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46, Pg. 14	Orchard Village Dr & Stop 11 Rd	None	None

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 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>
46, Pg. 14	Orchard Village Dr & Stop 11 Rd	Stop 11 Rd	Stop

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

Proposal No. 382, 1995 was retitled GENERAL ORDINANCE NO. 101, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection 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>
26, Pg. 31	Riley Av & 19th St	Riley Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 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>
26, Pg. 31	Riley Av & 19th St	None	All Stop

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

Proposal No. 383, 1995 was retitled GENERAL ORDINANCE NO. 102, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 102, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection 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>
50, Pg. 1	Anchor Bay Ct/ Anchor Bay Dr/ Old Stone Dr	Old Stone Dr	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 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>
50, Pg. 1	Anchor Bay Ct/ Anchor Bay Dr/ Old Stone Dr	Old Stone Dr	All Stop

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

Proposal No. 384, 1995 was retitled GENERAL ORDINANCE NO. 103, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection 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>
4, Pg. 11	Ralston Av & Randall Rd EB	Ralston Av	Stop
4, Pg. 11	Ralston Av & Randall Rd WB	Ralston Av	Stop
4, Pg. 11	Ralston Av & 75th St	75th St	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 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>
4, Pg. 11	Ralston Av & Randall Rd	None	All-Way Stop
4, Pg. 11	Ralston Av & 75th 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. 385, 1995 was retitled GENERAL ORDINANCE NO. 104, 1995 and reads as follows:

June 26, 1995

CITY-COUNTY GENERAL ORDINANCE NO. 104, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection 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>
11, Pg. 20	Norwaldo Av & 61st St	Norwaldo Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 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>
11, Pg. 20	Norwaldo Av & 61st 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. 386, 1995 was retitled GENERAL ORDINANCE NO. 105, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 105, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection 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>
32, Pg. 37	State Av & Walker Av	State Av	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 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. 37	State Av & Walker Av	None	All-Way Stop

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

Proposal No. 387, 1995 was retitled GENERAL ORDINANCE NO. 106, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 106, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-92, Schedule of intersection 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>
48, Pg. 1	Combs Rd & Stop 11 Rd	Stop 11 Rd	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 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>
48, Pg. 1	Combs Rd & Stop 11 Rd	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. 388, 1995 was retitled GENERAL ORDINANCE NO. 107, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 107, 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 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>
49, Pg. 2	Hickory Rd & Indian Creek Rd S	Hickory Rd	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49, Pg. 2	Hickory Rd & Indian Creek Rd S	None	All Stop

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

June 26, 1995

PROPOSAL NO. 390, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 390, 1995 on June 21, 1995. The proposal, sponsored by Councillor Williams, prohibits parking on the southeast and northwest corners of College Avenue and 24th Street (District 22). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal No. 390, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Dowden, Gray, Schneider

1 NOT PRESENT: Giffin

Proposal No. 390, 1995 was retitled GENERAL ORDINANCE NO. 108, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 108, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-267, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the addition of the following, to wit:

College Avenue, on the east side, from 24th Street,
to a point 100 feet south of 24th Street.

College Avenue, on the west side, from 24th Street,
to a point 100 feet north of 24th Street.

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

PROPOSAL NO. 391, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 391, 1995 on June 21, 1995. The proposal, sponsored by Councillor Moriarty Adams, prohibits parking on the northwest corner of 10th Street at Emerson Avenue, and on the west side of Emerson Avenue from 10th Street to 11th Street (District 15). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 391, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Gray

1 NOT PRESENT: Giffin

Proposal No. 391, 1995 was retitled GENERAL ORDINANCE NO. 109, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 109, 1995

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

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby, amended by the addition of the following, to wit:

10th Street, on the north side,
from Emerson Avenue, to a point 75 feet west of Emerson Avenue.

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

EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS
From 6:00 a.m. to 9:00 a.m.
Emerson Avenue, on the west side, from 10th Street to 11th Street.

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

PROPOSAL NO. 392, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 392, 1995 on June 21, 1995. The proposal, sponsored by Councillors Black and Williams, prohibits parking on Washington Boulevard north and south of 32nd Street (Districts 6, 22). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Black, for adoption. Proposal No. 392, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Gilmer, Golc, Gray, Moriarty Adams

1 NOT PRESENT: Giffin

Proposal No. 392, 1995 was retitled GENERAL ORDINANCE NO. 110, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 110, 1995

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Sec. 29-267, Parking prohibited at all times on certain streets.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Sec. 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby, amended by the addition of the following, to wit:

Washington Boulevard, on the west side,

June 26, 1995

from a point 80 feet south of Thirty-second Street,
to a point 100 feet north of Thirty-second Street.

Washington Boulevard, on the east side,
from a point 100 feet south of Thirty-second Street,
to a point 80 feet north of Thirty-second Street.

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

PROPOSAL NO. 393, 1995. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 393, 1995 on June 21, 1995. The proposal, sponsored by Councillor Brents, changes North Street from Canal Bridge to Senate Avenue from a one-way street to a two-way street (District 16). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor Brents, for adoption. Proposal No. 393, 1995 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: *Gray*

1 NOT PRESENT: *Giffin*

Proposal No. 393, 1995 was retitled GENERAL ORDINANCE NO. 111, 1995 and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 111, 1995

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

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

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

Eastbound,
North Street, from Senate Avenue to West Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be, and the same is hereby, amended by the addition of the following, to wit:

Eastbound,
North Street, from West Street to Canal Bridge.

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

NEW BUSINESS

Councillor West stated that the Metropolitan Development Committee will be conducting a bus tour on June 27, 1995 at 5:00 p.m. The tour will consist of housing and community development home projects in the inner city. He invited all Council members to attend.

Councillor Rhodes stated that the Administration and Finance Committee will conduct a public hearing regarding (1) public employee healthcare plans, and (2) prohibiting skateboarding in the Broad Ripple area on July 10, 1995 at 4:30 p.m.

ANNOUNCEMENTS AND ADJOURNMENT

Mr. Elrod read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 95-Z-58, Council Proposal No. 429, 1995, at its next regular meeting on July 17, 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 44 acres at 5401 East Southport Road from D-A to D611 to provide for the development of an apartment village.

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 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 Gilmer in memory of Mrs. Betty Power Hosier; and
- (2) Councillor Smith in memory of Margaret C. Fredrick; and
- (3) Councillors SerVaas, West, and Boyd in memory of Mary Jane Hasbrook; and
- (4) Councillor Boyd in memory of Rev. William Lawson

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 Mrs. Betty Power Hosier, Margaret C. Fredrick, Mary Jane Hasbrook, and Rev. William Lawson,. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:30 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-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 26th day of June, 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)