

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

**REGULAR MEETINGS
TUESDAY, AUGUST 1, 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 7:00 p.m. on Tuesday, August 1, 1995, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

[Clerk's Note: Councillors Gilmer and Short were absent due to another Council assignment.]

The President announced that Councillor Boyd is recovering successfully from surgery. A quorum of twenty-five members being present, the President called the meeting to order.

OFFICIAL COMMUNICATIONS

The Honorable Stephen Goldsmith, Mayor, presented his annual city budget to the Council with the following remarks:

Thank you Mr. President and members of the council. I appreciate the council's indulgence as I present my fourth budget as mayor. I have three direct and simple messages about this year's budget: smaller government; more resources for public safety; and better services and more control in the delivery of those services.

Smaller government

The budget for 1996 is down again, from \$446 million last year to \$438 million this year. This will be the eighth straight year without a property tax increase and the council deserves substantial praise for its efforts to hold the line on property taxes for that long of period of time. I appreciate your efforts to have the other municipal corporations fall in line as well. This will be the fourth straight year that the number of City employees has been reduced; down from 3,855 in 1995 to 3,773 in 1996. We are down over a third of our non-public-safety workforce since the first budget. The budget is balanced and the City will take in approximately \$1 million more than it will spend next year.

More resources devoted to public safety

Inside this small-government budget is a very important continuing shift that this council has approved: the dramatic move to public safety in the investment of our resources. We are devoting much more in terms of resources and a higher percentage of our budget to public safety than ever before. For example, in 1991 the City spent \$138 million on public safety. This year we will spend \$164 million. The annual budget is up in public safety by \$26 million since 1991 without a property tax increase. This is a remarkable reinvestment of resources in what many of us would agree is the core responsibility of government – to make sure our streets are safe.

Each year a higher and higher percentage of the workforce is devoted to public safety. The 1996 budget allows for 60% of the total City workforce to be involved in public safety. In this budget, if approved by the council, we will go from 986 uniformed police officers in 1995 to 1,004 police officers in 1996. Counting the jobs that have been civilianized, this will be the most officers on the street that we can find in a very long time. There is a very substantial and accelerated shift of resources to the areas of public safety.

Better service and control

Despite some consistent confusion about the competition and privatization process, this year's budget will provide more performance measures and more accountability for the council and citizens than ever before. Every time we have competed out a service, whether the City employees have won or the private sector has won, the quality and quantity of the service has increased. For example:

Wastewater treatment privatization, which this council approved, has improved water quality. Permit exceedences last year dropped by 86%. The number of union grievances dropped from 38 to 1.

Golf course privatization has improved the quality of our courses. Seventy-five percent of golfers surveyed say the courses are better. There have been no complaints from any golfer this year. And play is up 13%.

Solid waste competition, in which our own employees won an increased market share, has improved service. Complaints to the Mayors Action Center this year are down 15%.

The same type of service improvement has occurred in vehicle maintenance and every other area that has been competed out.

If I could digress for a second, this is why the recent newspaper and television stories about Metro are a bit troubling. In fact, what is occurring is that as the federal government cuts half of the operating subsidy for Metro, the City is moving into the area of competing out service. The big winners next January when the City takes over several services will be those who are poor, unemployed or underemployed, and transit dependent as the total number of rides that are produced will go up, not down. The total number of rides available in our community will go up, not down because this council will have the ability to buy \$5 million worth of transportation services in the open market, dramatically driving up the results. And I might mention to you because sometimes the efforts of municipal corporations go slightly unnoticed, that when the rides for the disabled were bid out, what's called Open Door, the number of rides per dollar doubled as a result of competition. The City administration and council together will be in a position to provide the most effective transit services, and we will be maybe one of the few cities in the country that will escape significant downsizing in terms of routes because of the cuts in Washington.

Finally many of you ask, publicly and privately, where have the savings from competition gone. Let me summarize some of these quickly.

Our general fund balances have increased by \$22 million, from \$50 million in 1991 to \$72 million at the end of 1994. The public safety budget is up \$26 million. Building Better Neighborhoods has funded \$500 million in roads, bridges and sewers and sidewalks without a property tax increase. We have funded the first \$30 million of the United Airlines liability and we have substantially enhanced the delivery of a number of services.

All of these activities have been accomplished without any property tax increase, any increase in the County Option Income Tax, and without any significant user fee increase.

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I have enjoyed the opportunity to present this budget and previous budgets to the council and the opportunity to work with leadership and the councilors as well. Together we have achieved pretty remarkable results.

Safe streets: We have more officers, more take home cars, more computer equipment, more substations and a significant decrease in violent crime this year in Indianapolis -- a decrease in violent crime this year in Indianapolis.

Strong neighborhoods: You have all seen the results of Building Better Neighborhoods. Even in Center Township, which had been troubled for a long period of time, we are seeing more homes rehabilitated or built than at any time since World War II. Our suburban townships saw more growth last year than any year in the history of the city. Our old city saw more activity anywhere you go. As an example, in Fountain Square the neighborhood residents have been marching against the crack dealers and we have been investing in streets and houses. We have seen a 50% decrease in violent crime in the general Fountain Square area. It shows what we can do when we work together.

Thriving economy: The economy is booming at a record pace. In fact, our Indianapolis economy is essentially superheated, our big problem now is an acute labor shortage throughout the marketplace.

Conclusion

Many people ask where the competition process stops. It doesn't. We will keep competing over and over again. Our employees continue to get better the more they are faced with competition, and the private sector needs to be in competition as well to keep it on its toes.

We have plenty of obligations still ahead. We have significant liability left for United Airlines, even though we have bought our way through the first three years. Police and fire pension funds remain essentially unfunded from the situation before 1977. And infrastructure -- in particular combined sewer overflow -- remains a problem.

But Indianapolis today is one of, if not *the* healthiest large city in the country, with our citizens more involved, more jobs created, more homes redone, a stable budget and a community that is working together in ways that are dramatic.

We understand our obligation to the council to present the budget in detail and be held accountable for results as well as inputs and we will be prepared for the budget process as called upon. Thank you Mr. President.

The Honorable John von Arx, Auditor, had the following remarks concerning the county budget:

Mr. President, members of the City-County Council, and citizens of Marion County,

Preparing the 1996 Marion County budget was perhaps the most exciting and challenging budget process for the County since the inception of UNIGOV. This budget introduces to the people of Marion County a number of initiatives which promise better service and more efficient delivery of Justice for all our citizens. This would include a new Unified Superior Court, merging the property rooms of the Indianapolis Police Department and the Marion County Sheriff's Department, and consolidating the dispatching operations of both law enforcement agencies. This budget also follows last years pattern of planning for future jail expansion by increasing the County's reserves for this project by an additional \$2.5 million. And, this budget does all of this and more without an increase in the property tax rate or the County Option Income Tax rate!

As Marion County grows and our economy thrives, the demand for County services will rise as well. With this budget, County government is preparing for the challenges of the 21st century. The County is continuously investing in our public's safety. And County government is becoming better and more efficient by concentrating on the present and future needs of our community. Unified courts will vastly improve the judicial process. New technologies are providing advanced information processing and record keeping.

Unification of Marion County's Superior Court was made possible with approval by the State Legislature and represents, perhaps the greatest change to Marion County government since UNIGOV was adopted.. Briefly, the Unified Superior Courts are the combination of the old Municipal Courts and Superior Courts, which include the Civil, Criminal, and Juvenile Division. This unification combines 33 separate courts and their staff, 3 different Probation Departments and the operations of a Court Administrator into one agency to allow for equalizing case loads and better management of the judicial system. Unification will bring economies of scale and allow for the redistribution of resources among all the courts of Marion County. Unification will also bring about the centralized management this court system has needed for years.

Under 33 separate courts, of which 15 courts were under the Municipal Court system, each court acted individually - Each court had a separate budget - and each court had its own staff. Under the "old" system, two identical courts could have the same number of employees but one court could have double the case load of the other. Under Unification, the courts can spread their resources evenly according to need and case load.

CHART 1

As this chart shows, the existing court system has 18 separate courts, each with a separate budget and staff. One of those courts, Municipal, has 15 additional courts and its own probation department. The Juvenile Court and Center currently operate 4 courts, their own probation department and a Juvenile Detention Center. Other agencies included are Criminal Court Probation, Court Administrator, Domestic Relations, Law Library, and General Term Reporter. This brings the total number of budgets to manage up to 23! Each budget is reviewed and approved by the Council but there is very little fiscal coordination between these entities.

CHART 2

This second chart shows the organization structure of the new "Unified" court system. The Presiding Judges are responsible for centrally coordinating the operations the Civil, Criminal, and Juvenile Courts. A distinct change calls for the Probation Departments to report to the Presiding Judges as well. The scope of the Court Administrator will be dramatically expanded to serve ALL courts. Previously, the Administrator only served the Superior Courts on a limited basis. The Administrator also retains the oversight responsibilities for the Law Library, Domestic Relations, General Term Reporter and the Jury Pool.

Centralized management was unthinkable under the "old" system. However, under the Unified Court there will likely be a professional business manager for all superior courts. The manager's responsibilities may range from budget preparation and financial management to court room scheduling and staffing. The manager may also handle the jury pool, law library, and domestic relations. Under the direction of the two new Presiding Judges, the court administrator will likely be responsible for all management activities of the court system.

There have been many expectations regarding financial savings attributed to court unification since this debate began. Efficiencies and improvements will undoubtedly be recognized from the reorganization and benefit our court system for years to come. Developing the 1996 budget with an entirely new organizational structure was done so with care and prudence to allow for a smooth short term transition and long term efficiencies. Neither the public nor any court should notice any interruption when unification occurs on January 1st.

The Honorable Judge Taylor Baker has held the position of Presiding Judge of the Municipal Courts for the past year. The Honorable Judge James Payne currently serves as Presiding Judge for the Superior Courts. These challenging positions have been well served by Judge Baker and Judge Payne and their contribution to passage of the Unified Courts bill is greatly appreciated. Judges Wendell Mayer and Steven Eichholtz will assume their new positions as Presiding Judges of the Unified courts on January 1, 1996. In January of 1997, an additional Presiding Judge will be added. This new court system is the result of countless hours of study and work to design a court system worthy of this County. Unification of the courts promises to bring a new beginning to the deliberation of Justice for our citizens. I will continue to pledge the assistance of my office to help you accomplish this most important duty.

Providing Public Safety may be the most important job of County government. 1996 will strengthen law enforcement by consolidating the property rooms of the Sheriff's Department and IPD. Consolidation of these law enforcement activities will allow more officers on the street and better operations of the property room. The Sheriff and IPD are also in the process of combining dispatching operations into the Sheriff's office. Combining dispatching will bring to the public, and our public safety officials, consistent quality and better delivery of service. This combination will be discussed in greater detail with the public and the Council in committee as the proposal develops.

Perhaps the most pressing issue before this Council and County government is prisoner overcrowding at the Marion County Jail. Jail capacity is at the maximum allowed under a Federal Court order. This has been a persistent problem over several years and we began preparing for this expansion by reserving \$2.5 million in the 1995 budget for costs associated with the expansion. The 1996 County budget continues by reserving an additional \$2.5 million. This \$5 million fund balance plus the amount set aside in future years, will help alleviate an obviously substantial future cost.

THIRD CHART

Marion County is also responsible for our juveniles in institutions. Bills from the State to the County for juveniles in the Boys School and Girls School are growing at a phenomenal rate. In 1989 the County received bills totaling \$1,769,358 from the State for Boys and Girls Correctional schools. Bills for 1994 had risen to \$4,839,129...an increase of 173.5% in just six years! This frightening statistic reflects the growing pressure on our law enforcement agencies, our courts, and our adult and juvenile holding facilities. Clearly, this is the fastest rising line item in the County's Budget increasing \$1.8 million in 1996 alone!

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The 1996 budget of \$147.6 million is higher than the 1995 revised budget by 2.2%. The 1996 budget better represents the actual needs of County government to operate for a full year. Included in the 1996 operating budget are more special revenue funds which the Council has previously appropriated as a separate budget. Including those funds in the proposed budget should require fewer budget revisions for County agencies next year.

You may recall that in the last couple years, the County General Fund balance had dropped below recommended levels. By controlling spending and aggressively pursuing additional revenues, the fund balance has improved significantly. With the help of this Council, wise spending decisions and strategic planning have helped control the growth of County spending. The General Fund budget is now \$12.5 million lower than in 1994 or 9.5% less, the County is operating with 260 fewer employees, and the General Fund Balance has been restored to acceptable levels. The result of all this hard work has helped the County retain its outstanding AAA bond rating. However, to avoid returning to these hard times, conservative budgetary practices must prevail. The emphasis for the County's financial situation must be on strong budget controls over line-item spending and improved revenue collections.

A recent survey of other Indiana counties has revealed that Marion County is collecting a smaller portion of some revenues than other counties. Those revenues range from Supplemental Public Defender Fees to various court costs. In order to correct this imbalance, the Auditor's Office has just recently entered into an agreement with a private consulting firm to conduct a comprehensive revenue study of Marion County's finances. The purpose of this study is to compare our local County's system of service fees to other similar counties in Indiana and throughout the country. We believe this study will identify new revenue sources and better collection methods to reduce the County's reliance on property taxes and the local income tax.

1996 will mark a reassessment year for Indiana property tax payers. The last reassessment occurred in 1990 and revalued property an average of 30% higher. Fortunately for taxpayers, reassessment is revenue neutral for governments. Although taxable values rise under reassessment, tax rates fall proportionately. The tax rates approved by this Council for the 1996 budget will be adjusted downward next January to reflect those new values. The growth in property taxes of 3.4% for the county is projected based on economic growth and expansion, **NOT** a rising tax rate.

I would like to close with some good news about a critical state and county finance problem Indiana has grappled with for the last 6 years - the rising cost of child welfare and the ineffective outcomes it produced in the lives of children. After much study and research, it became apparent that Indiana had very little investment in the front end of the system - trying to prevent the problem before we ultimately saw all of the expensive out of home placements. What was needed was a focus on prevention while also being conscious of its cost. Well, last year an Auditor's Office initiative passed into state law, and the result is a sight now familiar to most Hoosier motorists.

FOURTH CHART

Proceeds from this plate go directly to the Indiana Children's Trust Fund for preventing child abuse. Sales of the license plate have surpassed even our wildest dreams, raising over \$1,000,000 in just the first half of this year. It's addressing a problem "up front" rather than dealing with the often tragic results. The success of this program will save some children from a life-time of pain and keep them out of the costly Welfare system, doing so without a dime of taxpayer dollars. In addition, 1994 marked the first time since 1982 that neither welfare nor poor relief borrowing occurred - a trend that we expect will continue through 1996.

As you deliberate over this budget and examine the details of this plan, you will hopefully find this budget addresses many of the problems facing this County. Preparing for increasing the capacity at the jail, "Unification" of the Marion County courts, and consolidating some operations of the Sheriff's Department and Indianapolis Police Department are all helping prepare Marion County for the challenges ahead. In fact, the "over the guideline" request of County agencies is significantly less than the levels it has been at in the past.

In closing, I look forward to working with the Council during the next few months as we move on through the budget process. I know you can depend on all County officials to provide you with the additional information you may require in order to have the best possible budget plan for the citizens of our County.

Thank you and good night.

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

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

Ladies And Gentlemen :

Journal of the City-County Council

You are hereby notified 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 Tuesday, August 1, 1995, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

July 18, 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, July 20, 1995, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 416, 441, 442, and 444, 1995, and a NOTICE OF PUBLIC HEARING on Proposal No. 468, 1995, to be held on August 1, 1995 at 7:00 p.m., in the City-County Building.

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

July 24, 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. 112, 1995 - prohibiting the use of skateboards in the Broad Ripple business district

FISCAL ORDINANCE NO. 67, 1995 - an appropriation of \$3,200,000 of Community Development Block Grant Section 108 funds to carry out the following economic development projects: (1) the West Michigan Street Redevelopment Project, (2) the Mainscape Project, and (3) the New East Industrial Center and the Opportunity Factory

FISCAL ORDINANCE NO. 69, 1995 - an additional appropriation of \$116,325 for the Public Defender Agency to achieve staffing levels sufficient to qualify for state reimbursement in excess of such increases

FISCAL ORDINANCE NO. 70, 1995 - an appropriation of \$262,422 for Community Corrections to pay personnel, home detention equipment and office supply expenses for fiscal year 1995/1996 financed by revenues from the Home Detention User Fee Fund

FISCAL ORDINANCE NO. 71, 1995 - an appropriation of \$7,000 for Community Corrections to pay for additional bed space in the Community Corrections Residential Program financed by revenues from the Home Detention User Fee Fund

FISCAL ORDINANCE NO. 72, 1995 - an appropriation of \$199,877 for Community Corrections to continue the Craine House Family Living Program financed by a state grant

SPECIAL ORDINANCE NO. 7, 1995 - authorizes the issuance of economic development revenue bonds in an aggregate principal amount not to exceed \$3 million for SOHL Associates, LLC (southwest corner of 62nd Street and Guion Road (District 9)

SPECIAL ORDINANCE NO. 8, 1995 - authorizes the County Recorder to charge a supplemental fee of \$3 per document for recording documents

SPECIAL ORDINANCE NO. 9, 1995 - authorizing the City to issue its Resource Recovery Revenue Refunding Bonds (Ogden Martin Systems of Indianapolis, Inc. Project), Series 1996

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SPECIAL RESOLUTION NO. 61, 1995 - concerns Indianapolis, U.S.A., and Scarborough, Canada

SPECIAL RESOLUTION NO. 62, 1995 - recognizes the 25th anniversary of Indiana Black Expo

SPECIAL RESOLUTION NO. 63, 1995 - concerns the Garfield Park Grove of Remembrance

SPECIAL RESOLUTION NO. 64, 1995 - asks the Metropolitan Development Commission to enforce long-standing policy with respect to advertising signs inside the I-465 beltway

SPECIAL RESOLUTION NO. 65, 1995 - an inducement resolution for Faris Avenue Limited Partnership in an amount not to exceed \$8 million to proceed with the acquisition, renovation and equipping of the existing 354 unit multi-family residential rental facility located at 6875 Faris Avenue (District 11)

SPECIAL RESOLUTION NO. 66, 1995 - an inducement resolution for Emerald Green Housing Partners, Ltd, in an amount not to exceed \$12,875,000 to proceed with the acquisition, renovation and equipping of the existing 192 unit multi-family residential rental facility plus the construction of an additional 184 multi-family residential rental unit located at 6363 Commons Drive (District 1)

SPECIAL RESOLUTION NO. 67, 1995 - concerns movie video tape distribution by the Indianapolis-Marion County Public Library

Respectfully,
s/Stephen Goldsmith, Mayor

Councillor O'Dell presented a report on the Scarborough Peace Games, which were held in Scarborough beginning the last weekend in July. A formal sister city relationship will be explored between Scarborough and Indianapolis. Councillor Curry reported that last week Indianapolis hosted the International Sister City Conference, which had representatives from forty countries.

ADOPTION OF THE AGENDA

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

APPROVAL OF JOURNALS

The President called for additions or corrections to the Journals of June 26 and July 17, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 495, 1995. The proposal, sponsored by Councillor Jones, recognizes the 100th Anniversary of *The Indianapolis Recorder*. Councillor Jones read the proposal and moved for its adoption. Proposal No. 495, 1995 was adopted by a unanimous voice vote.

Proposal No. 495, 1995 was retitled SPECIAL RESOLUTION NO. 68, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1995

A SPECIAL RESOLUTION recognizing the 100th Anniversary of *The Indianapolis Recorder*.

WHEREAS, one hundred years ago, in 1895, Benjamin Harrison had just concluded his Presidency, Civil War vets were holding huge annual conventions, Black notable George Washington Carver was hitting his stride and abolitionist Frederick Douglass passed away, the city council conducted a special

investigation on corruption in the Indianapolis Department of Public Works and city firemen were paid \$821.25 a year; and

WHEREAS, that year, *The Indianapolis Recorder* began production as a simple newspaper reporting on Church activities, and later expanded to include social, entertainment and general news of special interest to the city's Black community; and

WHEREAS, through ten decades, *The Indianapolis Recorder* has grown to emphasize the Black viewpoint, Black entertainment, specialized advertisements, business news, a healthy dose of positive news about people's achievements and, just like in 1895, strong coverage of Church news; and

WHEREAS, *The Indianapolis Recorder*, the nation's third oldest Black newspaper, is commemorating its Centennial Year with speakers, an Aretha Franklin concert, a documentary film and a special 100-page anniversary issue of the newspaper; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates *The Indianapolis Recorder* for its 100 years of publication.

SECTION 2. The Council wishes the best of continued success to the paper's owner William Mays, General Manager Charles Blair, its employees, distributors, advertisers and to its great number of loyal readers.

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. 496, 1995. The proposal, sponsored by Councillor Rhodes, recognizes Mary A. "Dubbie" Buckler. Councillor Rhodes read the proposal and presented a copy of the document to Ms. Buckler, who expressed appreciation for the recognition. Councillor Rhodes moved, seconded by Councillor Coughenour, for adoption. Proposal No. 496, 1995 was adopted by unanimous voice vote.

Proposal No. 496, 1995 was retitled SPECIAL RESOLUTION NO. 69, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 1995

A SPECIAL RESOLUTION recognizing Mary A. "Dubbie" Buckler.

WHEREAS, one of the highest honors that one can receive is recognition which comes from one's peers; and

WHEREAS, Marion County Treasurer Mary A. "Dubbie" Buckler was recognized by such an honor last week when an affiliate of the National Association of Counties presented her with the "Victor E. Martinelli Outstanding Treasurer's Award", an annual award to one person who has been a leader and a professional of the highest caliber in the operation of their county office; and

WHEREAS, Dubbie is the first woman ever elected as Marion County Treasurer, and for the past seven years she has busied herself upgrading the office with advanced electronic technology, has had no office budget increase in three years, reduced her staff by 22%, and manages over \$1.8 billion annually to the complete satisfaction of state government and external auditors; and

WHEREAS, Dubbie has served as Legislative Committee Chair of the Indiana County Treasurer's Association for the past three years which involved her lobbying the state legislature for laws to help county treasurers serve the taxpayers more efficiently; and

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WHEREAS, she is a lifelong resident of Marion County, is a graduate of Decatur Central High School and Butler University and she brings her energy and vitality to numerous civic and volunteer organizations; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and congratulates Mary A. "Dubbie" Buckler for being awarded by her peers with the top honor in the nation for county treasurers.

SECTION 2. Indianapolis and Marion County are indeed fortunate to have competent, dedicated and dynamic citizens such as Marion County Treasurer Dubbie Buckler who choose to take an active role in helping make this city and county work -- and now her counterparts around the nation have recognized that fact as well.

SECTION 3. The Council is proud of Dubbie and her dedicated staff for earning and bringing home this national recognition.

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. 497, 1995. The proposal, sponsored by Councillor Jimison, requests the city administration to conduct a feasibility study about placing an edu-care center in the City-County Building. Councillor Jimison read the proposal and moved for its adoption. Councillor Brents seconded the motion. Proposal No. 497, 1995 was adopted by a unanimous voice vote.

Proposal No. 497, 1995 was retitled SPECIAL RESOLUTION NO. 70, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 1995

A SPECIAL RESOLUTION requesting the city administration to conduct a feasibility study about placing an edu-care center in the City-County Building.

WHEREAS, the Council recognizes that the vitality and well-being of families and young children is extremely important, especially in this day and age; and

WHEREAS, locating good, safe, convenient and affordable care for their young children is a major concern for young couples and single parents; and

WHEREAS, many private and not-for-profit companies and governmental units care enough about their valued employees to take the trouble to arrange for convenient edu-care for their employees' young children, often in the workplace building; and

WHEREAS, such a concern for city and county employees and their families can translate into workers paying greater attention to their work at hand, reduce family stress, improve worker morale and could serve as an inspiration and model for other employers in the community; 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 finds that creating an edu-care center in, or near, the City-County Building for the employees may well be a needed and desirable pro-family and productivity enhancing action.

SECTION 2. The Council asks the city administration to establish an Edu-Care Feasibility Study Committee with some staff support to carefully examine the desirability, estimated demand, costs,

survey the experiences of other edu-care centers and prepare a report of its findings to the Mayor and Council.

SECTION 3. The Council asks for a progress report from the Committee during October, 1995, and at least quarterly thereafter.

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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 477, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Comprehensive Zoning Maps of Marion County by updating base maps #4, #23, #24, and to correct mapping errors on base maps #14D, #18C, #28C, and #35B"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 478, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes certain zoning procedures for Marion County"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 479, 1995. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which amends Special Resolution No. 48, 1995 to correct the schedule of approved Community Development Block Grant programs"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 480, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Charles Hiltunen to the Cable Franchise Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 481, 1995. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which authorizes the lease of office space for the Franklin Township Assessor at 4531 Independence Square"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 482, 1995. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves a public purpose grant in the amount of \$65,000 to Indiana University at Indianapolis for the purpose of financing educational access cable television programming"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 483, 1995. Introduced by Councillors Curry, Hinkle, and Giffin. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the issuance of \$13 million of Notes for the purpose of paying the costs of certain infrastructure improvements in the Decatur Township portion of the Airport Industrial Economic Development Area"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 484, 1995. Introduced by Councillors Rhodes and Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which concerns leasing of right-of-way for vending from carts and stands, replaces current system of licensing carts, and recodifies other relevant provisions"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 485, 1995. Introduced by Councillors Giffin, Franklin, and Gray. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 35 acres of land formerly known as the Riverside Nursery to R. N. Thompson & Associates, Inc. for the construction, development, and management of a golf academy"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 486, 1995. Introduced by Councillors Giffin, Franklin, and Gray. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the lease by the Indianapolis Department of Parks and Recreation of approximately 150 acres of land currently consisting of a nine-hole golf course and driving range and commonly referred to as Winding River Municipal Golf Course to R. H. West Management Corporation for the construction, development, and management of an eighteen-hole golf course"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 487, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$7,754 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a federal grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 488, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$89,957 for the Prosecuting Attorney to continue the Adult Protective Services Unit financed by revenues from a Family and Social Services Administration grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 489, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints William Brown to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 490, 1995. Introduced by Councillors Curry and Golc. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the Agreement for the Operation and Maintenance of the Indianapolis International Airport Facilities by and Between the Indianapolis Airport Authority, BAA Indianapolis LLC, and BAA USA Holdings, Inc."; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 491, 1995. Introduced by Councillor Curry. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which elects to fund MECA in 1996 with COIT revenues"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 492, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Wallace Avenue and Walnut Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 493, 1995. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at Euclid Avenue and 15th Street (District 15)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 494, 1995. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking for marked police vehicles only for the southside of Market Street from Alabama Street to Delaware Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 498, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which is the annual budget for the Police Special Service District for 1996"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 499, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which is the annual budget for the Fire Special Service District for 1996"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 500, 1995. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which is the annual budget for the Solid Waste Collection Special Service District for 1996"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 501, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Revenue Bonds Debt Service Funds for 1996"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 502, 1995. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Marion County Office of Family and Children for 1996"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 503, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for the Metropolitan Emergency Communications Agency for 1996"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 504, 1995. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is the annual budget for Indianapolis and Marion County for 1996"; and the President referred it to various committees.

PROPOSAL NO. 505, 1995. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$770,000 for the County Sheriff to proceed with the jail expansion in the east wing of the City-County Building

financed from the County General Fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

Councillor Schneider moved to suspend the requirements of Sec. 151-76 of the Council Rules as to Proposal No. 505, 1995, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on August 28, 1995. This motion was seconded by Councillor McClamroch, and passed by unanimous voice vote.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 506-513, 1995. Introduced by Councillor West. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on July 20, 1995." The Council did not schedule Proposal Nos. 506-513, 1995 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 506-513, 1995 were retitled REZONING ORDINANCE NOS. 107-114, 1995 and are identified as follows:

REZONING ORDINANCE NO. 107, 1995. 95-Z-65 FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

5577 EAST THOMPSON ROAD (approximate address), INDIANAPOLIS.
SANDLIAN INVESTMENTS COMPANY, by Thomas Michael Quinn, requests the rezoning of 4.971 acres, being in the C-4 District, to the C-S classification to provide for construction of mini-warehouses.

REZONING ORDINANCE NO. 108, 1995. 95-Z-28A (Amended) FRANKLIN TOWNSHIP.
COUNCILMANIC DISTRICT # 23.

5886 SOUTH FRANKLIN ROAD (approximate address), INDIANAPOLIS.
EDGEWOOD PROPERTIES, L.P., by Thomas Michael Quinn, requests the rezoning of 98.333 acres, being in the D-6II District, to the D-4 classification to provide for residential development.

REZONING ORDINANCE NO. 109, 1995. 95-Z-28B (Amended) FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT # 23.

5606 SOUTH FRANKLIN ROAD (rear) (approximate address), INDIANAPOLIS.
EDGEWOOD PROPERTIES, L.P., by Thomas Michael Quinn, requests the rezoning of 1.26 acres, being in the D-6II District, to the C-4 classification to provide for commercial development.

REZONING ORDINANCE NO. 110, 1995. 94-Z-122 DECATUR TOWNSHIP.
COUNCILMANIC DISTRICT # 19.

5882-5514 WEST HANNA AVENUE (approximate address), INDIANAPOLIS.
AIRPORT CENTRE REALTY, L.P., by Stephen D. Mears, requests the rezoning of 97.87 acres, being in the D-A and D-4 Districts, to the C-S classification to provide for a business park, including office and industrial development.

REZONING ORDINANCE NO. 111, 1995. 95-Z-80 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 12.

1701 MITTHOEFER ROAD (approximate address), INDIANAPOLIS.
STEPHEN L. BORDEN, by Stephen D. Mears, requests the rezoning of 2.47 acres, being in the SU-7 District, to the D-3 classification to provide for residential development.

REZONING ORDINANCE NO. 112, 1995. 95-Z-88 PERRY TOWNSHIP.
COUNCILMANIC DISTRICT # 20.

7218 U.S. HIGHWAY 31 SOUTH (approximate address), INDIANAPOLIS.
TED M. REESE, DDS requests the rezoning of 1.0 acre, being in the D-A District, to the C-1 classification to legally establish an for existing dental office.

REZONING ORDINANCE NO. 113, 1995. 95-Z-93 CENTER TOWNSHIP.
COUNCILMANIC DISTRICT # 22.

1920, 1929 COLUMBIA AVENUE (approximate address), INDIANAPOLIS.

THREADED ROD COMPANY, INC., by Stephen D. Mears, requests the rezoning of 1.85 acres, being in the D-8 and C-3 District, to the I-3-U classification to provide for the expansion of an existing building and to legally establish a parking lot, for an existing industrial operation.

REZONING ORDINANCE NO. 114, 1995. 95-Z-103 LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 14.

10304 EAST 38TH STREET (approximate address), INDIANAPOLIS.

ROCK OF FAITH BAPTIST CHURCH, by Raymond Good, requests the rezoning of 10 acres, being in the D-A(FF) District, to the SU-1(FF) classification to provide for church use.

REZONING ORDINANCE NO. 115, 1995. 95-Z-104 WARREN TOWNSHIP.
COUNCILMANIC DISTRICT # 13.

601 and 802 SOUTH KITLEY AVENUE (approximate address), INDIANAPOLIS.

AMERICAN PRODUCTIONS, INC., by Gilbert E. Mascher, requests the rezoning of 24.84 acres, being in the I-3-U and I-3-S Districts, to the C-S classification to provide for the continued use and development of a racetrack and associated facilities.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 468, 1995. The proposal approves Petition No. 95-Z-42 (95-DP-2) to rezone 304 acres at 9602-9902 Fall Creek Road from the D-S and D-1 Districts to the D-P classification to provide for planned unit residential development. The President stated that the attorneys for the petitioner and the remonstrators in this case are negotiating at this time. Proposal No. 468, 1995 will be heard later.

[Clerk's Note: Councillor Dowden was not in the chambers; he was with the attorneys, the petitioner and the remonstrators discussing Proposal No. 468, 1995.]

The President said that in Councillor Gilmer's absence, Councillor Hinkle would present the Capital Asset Management Committee reports.

PROPOSAL NO. 338, 1995. Councillor Hinkle reported that the Capital Asset Management Committee heard Proposal No. 338, 1995 on July 5 and July 19, 1995. The proposal consolidates the Ordinance Violations Bureau and the Revenue Enhancement Division within the Office of Corporation Counsel. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Beadling stated that she voted against this in Committee because (1) she believes the Ordinance Violations Bureau did a very good job of collecting traffic fines, and (2) she is against transferring this collection agency to the 16th floor of the City-County Building since the traffic tickets are paid on the first floor.

Councillor Jimison asked if the reorganization has already taken place. Sue Beesley, Corporation Counsel, answered that the entire reorganization is not completed. Councillor Jimison further asked what functions will be transferred to Corporation Counsel and what functions will remain with the Department of Capital Asset Management ("DCAM"). Ms. Beesley replied that the maintenance and operation of parking meters will remain with DCAM; the collection of traffic fines will be transferred to Office of Corporation Counsel, Collection Division.

August 1, 1995

The President called for public testimony at 8:30 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Mullin, for adoption. Proposal No. 338, 1995, was adopted on the following roll call vote; viz:

20 YEAS: Borst, Brents, Curry, Dowden, Franklin, Giffin, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

5 NAYS: Beadling, Black, Coughenour, Gray, Jimison

0 NOT VOTING:

4 ABSENT: Boyd, Gilmer, Short, Williams

PROPOSAL NO. 338, 1995 was retitled GENERAL ORDINANCE NO. 113, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 1995
Proposal No. 338, 1995

A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County, creating a Collections Division in the Office of the Corporation Counsel.

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

SECTION 1. Article II of the Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by adding a new section 202-104 (which amends Sec. 202-206 by deleting the stricken-through text and inserting the underlined text) to read as follows:

Sec. 202-206 -104. ~~Revenue enhancement~~ Collections division.

The office of ~~city controller~~ corporation counsel shall include a ~~revenue enhancement~~ collections division, the powers and duties of which shall include:

- (1) Acting as the agent in collecting receivables of any nature for city departments or divisions or county offices. Any such department, division or office may, at its option, request the assistance of the ~~revenue enhancement~~ collections division in establishing collecting procedures and in pursuing any outstanding receivables;
- (2) Establishing such collection procedures as may be in the best interest of the city and the county;
- (3) Collecting from debtors owing receivables to any department, division or office of the city or county the costs of such collection activities, on behalf of the ~~revenue enhancement~~ collections division and such department, division or office, as allowed by law;
- (4) Contracting with collection agencies and such other service providers as the ~~controller~~ corporation counsel deems appropriate to pursue the purposes of the division; and
- (5) Exercising any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 2. Article II of the Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by adding a new section 202-105 (which amends Sec. 271-521 by deleting the stricken-through text and inserting the underlined text) to read as follows:

Section ~~271-521~~ 202-105: Ordinance violations bureau.

An ordinance violations bureau is established within the ~~parking management~~ collections division of the ~~department of capital asset management~~ office of corporation counsel for purposes authorized by chapter 3 of article 6 of title 33 of the Indiana Code (IC 33-6-3).

SECTION 3. Article II of the Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by adding a new section 202-106 (which amends Sec. 271-522 by deleting the stricken-through text and inserting the underlined text) to read as follows:

Section ~~271-522~~ 202-106. ~~Violations clerk; appointment~~ Administration of ordinance violation bureau.

The ordinance violations bureau shall be administered by ~~the violations clerk.~~ The violations clerk shall be a violations clerk appointed by and ~~serve~~ serve at the pleasure of the ~~director of the department of capital asset management~~ corporation counsel.

SECTION 4. Article II of the Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by adding a new section 202-107 (which amends Sec. 271-523 by deleting the stricken-through text and inserting the underlined text) to read as follows:

Section ~~271-523~~ 202-107. ~~Duties of violations clerk and~~ ordinance violations bureau.

The ~~violations clerk and~~ ordinance violations bureau shall be responsible for processing Code and ordinance violations which are enforced pursuant to the procedures set forth in article III of chapter 103 of this Code and for those duties transferred as successor to the traffic violations bureau existing under chapter 29 of the Code.

SECTION 5. Article III of Chapter 202 of the Revised Code of the Consolidated City and County is hereby amended by deleting Sec. 202-206 as follows:

~~Sec. 202-206. Revenue enhancement division.~~

~~The office of city controller shall include a revenue enhancement division, the powers and duties of which shall include:~~

~~(1) Acting as the agent in collecting receivables of any nature for city departments or divisions or county offices. Any such department, division or office may, at its option, request the assistance of the revenue enhancement division in establishing collecting procedures and in pursuing any outstanding receivables;~~

~~(2) Establishing such collection procedures as may be in the best interest of the city and the county;~~

~~(3) Collecting from debtors owing receivables to any department, division or office of the city or county the costs of such collection activities, on behalf of the revenue enhancement division and such department, division or office, as allowed by law;~~

~~(4) Contracting with collection agencies and such other service providers as the controller deems appropriate to pursue the purposes of the division; and~~

~~(5) Exercising any other powers which may be granted by statute or ordinance or delegated by the mayor.~~

SECTION 6. Article IV of Chapter 271 of the Revised Code of the Consolidated City and County is hereby amended by deleting Article IV as follows:

~~ARTICLE IV. ORDINANCE VIOLATIONS BUREAU~~

~~Section 271-521: Ordinance violations bureau.~~

~~An ordinance violations bureau is established within the parking management division of the department of capital asset management for purposes authorized by chapter 3 of article 6 of title 33 of the Indiana Code (IC-33-6-3).~~

~~Section 271-522. Violations clerk; appointment.~~

~~The ordinance violations bureau shall be administered by the violations clerk. The violations clerk shall be appointed by and serve at the pleasure of the director of the department of capital asset management.~~

~~Section 271-523. Duties of violations clerk and ordinance violations bureau.~~

~~The violations clerk and ordinance violations bureau shall be responsible for processing Code and ordinance violations which are enforced pursuant to the procedures set forth in article III of chapter 103 of this Code and for those duties transferred as successor to the traffic violations bureau existing under chapter 29 of the Code.~~

SECTION 7. 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 8. 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 the ordinance. To this end the provisions of this ordinance are severable.

SECTION 9. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 36-3-4-14.

PROPOSAL NO. 339, 1995. Councillor Hinkle reported that the Capital Asset Management Committee heard Proposal No. 339, 1995 on July 5 and July 19, 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. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 8:40 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor O'Dell for adoption. Proposal No. 339, 1995, as amended, was adopted on the following roll call vote; viz:

19 YEAS: Borst, Brents, Dowden, Franklin, Giffin, Golc, Hinkle, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

6 NAYS: Beadling, Black, Coughenour, Curry, Gray, Jimison

0 NOT VOTING:

4 ABSENT: Boyd, Gilmer, Short, Williams

PROPOSAL NO. 339, 1995, as amended, was retitled FISCAL ORDINANCE NO. 74, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 74, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Five Hundred Fifteen and Ninety-eight Dollars (\$515,098) in the Consolidated County Fund for purposes of the Office of Corporation Counsel, Collection Division, and reducing certain other appropriations for that, Office of the Controller, Revenue Enhancement Division, in the Consolidated County Fund and for the Department of Capital Asset Management, Parking Operation Division in the Parking Meter 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 (e), (h) and (m) of the City-County Annual Budget for 1995 be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Office of

Corporation Counsel, Collection Division, to finance the establishment of their new organization for 1995.

SECTION 2. The sum of Five Hundred Fifteen and Ninety-eight Dollars (\$515,098) 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>OFFICE OF CORPORATION COUNSEL</u> <u>COLLECTION DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	142,322
2. Supplies	16,215
3. Other Services and Charges	349,956
4. Capital Outlay	<u>6,605</u>
TOTAL INCREASE	515,098

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

<u>DEPARTMENT OF CAPITAL ASSET MANAGEMENT</u> <u>PARKING OPERATION DIVISION</u>	<u>PARKING METER FUND</u>
1. Personal Services	112,482
2. Supplies	11,233
3. Other Services and Charges	220,512
4. Capital Outlay	<u>2,000</u>
TOTAL	346,227

<u>OFFICE OF THE CONTROLLER</u> <u>REVENUE ENHANCEMENT DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	93,399
2. Supplies	4,982
3. Other Services and Charges	65,885
4. Capital Outlay	<u>4,605</u>
TOTAL	168,871
 TOTAL REDUCTION	 515,098

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

PROPOSAL NO. 416, 1995. Councillor Rhodes reported that the Administration and Finance Committee heard Proposal No. 416, 1995 on July 31, 1995. The proposal, sponsored by Councillor Smith, is an appropriation of \$44,031 for the Franklin Township Assessor to pay relocation expenses financed from the County General Fund balances. 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 8:41 p.m. There being no one present to testify, Councillor Rhodes moved, seconded by Councillor Smith for adoption. Proposal No. 416, 1995, was adopted on the following roll call vote; viz:

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

Proposal No. 416, 1995 was retitled FISCAL ORDINANCE NO. 75, 1995, and reads as follows:

August 1, 1995

CITY-COUNTY FISCAL ORDINANCE NO. 75, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) appropriating an additional Forty-four Thousand Thirty-one Dollars (\$44,031) in the County General Fund for purposes of the Franklin Township Assessor 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(o) of the City-County Annual Budget for 1995 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Franklin Township Assessor for expenses related to move outside City-County Building.

SECTION 2. The sum of Forty-four Thousand Thirty-one Dollars (\$44,031) 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>FRANKLIN TOWNSHIP ASSESSOR</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	2,000
3. Other Services and Charges	27,247
4. Capital Outlay	<u>14,784</u>
TOTAL INCREASE	44,031

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>44,031</u>
TOTAL REDUCTION	44,031

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

PROPOSAL NO. 441, 1995. The proposal is an appropriation of \$15,530 for the County Sheriff to provide security at the Marion County Children's Guardian Home financed by a transfer of funds from the Children's Guardian Home's County General Fund. Councillor O'Dell asked for consent to postpone Proposal No. 441, 1995 until August 28, 1995. Consent was given.

PROPOSAL NO. 442, 1995. In Councillor Dowden's absence, Councillor McClamroch, as sponsor of the proposal, gave the Committee report. He stated that the Public Safety and Criminal Justice Committee heard Proposal No. 442, 1995 on July 26, 1995. The proposal amends the County budget to authorize direct payment of additional salaries for judges in amounts previously approved. Under a new state statute, the supplemental salary that a county pays a judge will be sent to the state who will then pay the judge. The state will not be ready to administer this procedure until 1996; therefore, the County will make direct payment to the judges for the remainder of 1995. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Curry said that he voted against this in Committee because SEA 619 does not provide for the County to make such direct payments.

Councillor Golc asked if this supplemental salary also includes the prosecutor. Robert G. Elrod, General Counsel, stated that the prosecutor will receive the same supplement as the judges.

Councillor West stated that there is a requirement in state law that the County will furnish the funds to the State and the State will make the payments. Mr. West asked how the County has handled this matter so that it is not violating state law by making these payments. William Lantz, III, Deputy County Auditor, stated that another Deputy County Auditor, John Montgomery, had several discussions with the State on this matter, and it was determined that the County make these payments directly to the judges until January 1, 1996. Councillor West asked if that determination is in writing. Mr. Lantz answered that he did not know if anything was put in writing.

Councillor Jimison suggested that the General Counsel meet with the appropriate parties and draft whatever document is needed to make certain that whatever transfer of funds is made will be made properly and legally, and that the Council move on this matter.

Councillor Rhodes moved the question.

Councillor Franklin offered a friendly amendment that the Council will approve Proposal No. 442, 1995 upon receiving a letter from the State Auditor's Office authorizing the County to make the supplemental payments. The President stated that was a good suggestion and asked the General Counsel to include it in the amendment. The President said that Proposal No. 442, 1995 will stay on the table until an amendment has been drafted by the General Counsel.

PROPOSAL NO. 444, 1995. In Councillor Dowden's absence, Councillor Borst gave the Committee report. He stated that the Public Safety and Criminal Justice Committee heard Proposal No. 444, 1995 on July 26, 1995. The proposal is an appropriation to reclassify fringes to salary for the Marion County Justice Agency in the amount of \$6,500 financed by a transfer of funds within the Drug Free Community Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:04 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Franklin for adoption. Proposal No. 444, 1995, was adopted on the following roll call vote; viz:

22 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Franklin, Giffin, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

3 NOT VOTING: Dowden, Golc, Gray

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 444, 1995 was retitled FISCAL ORDINANCE NO. 76, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 76, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring and appropriating an additional Six Thousand Five Hundred Dollars (\$6,500) in the Drug Free Community Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations for that agency.

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

August 1, 1995

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(dd) of the City-County Annual Budget for 1995, be and is hereby amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to fund expenses of the Drug Court.

SECTION 2. The sum of Six Thousand Five Hundred Dollars (\$6,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	<u>6,500</u>
TOTAL INCREASE	6,500

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

<u>COUNTY AUDITOR</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services - fringes	<u>6,500</u>
TOTAL DECREASE	6,500

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. 446, 1995. Councillor Coughenour reported that the Public Works Committee heard Proposal No. 446, 1995 on July 27, 1995. The proposal establishes increased penalties for air pollution control violations. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Coughenour moved, seconded by Councillor Jones, for adoption. Proposal No. 446, 1995 was adopted on the following roll call vote; viz:

21 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, SerVaas, Shambaugh, Tilford, West

0 NAYS:

4 NOT VOTING: Dowden, Gray, Schneider, Smith

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 446, 1995 was retitled GENERAL ORDINANCE NO. 114, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 1995

A GENERAL ORDINANCE amending Chapter 4, Air Pollution Control, of the Code of Indianapolis and Marion County, Indiana.

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

SECTION 1. Article I, Section 4-11 is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 4-11. Definitions.

As used in this chapter and its regulations, the following terms shall have the meanings ascribed to them:

Actual emissions means the emissions which occurred over a specified period of time based upon emission monitoring, stack testing, emission factors, or other measures acceptable to the administrator.

Administrator means the assistant administrator of the air pollution control section of the environmental resources management division of the department of public works, Consolidated City of Indianapolis and Marion County or ~~other designee of the director of the department of public works~~ his/her authorized deputy, agent or representative.

Air contaminant means any solid, liquid or gaseous matter, or any combination thereof, that may be emitted into the ambient air in any manner which may cause or contribute to air pollution. Air contaminant shall include "regulated air pollutant" as defined in 40 CFR § 70.2.

Air contaminant emitter or *air contaminant source* means any vehicle, process facility or any other device that emits or is capable of emitting an air contaminant, whether privately or publicly owned or operated. Without limiting the generality of the foregoing, this term includes all types of business, commercial and industrial plants, works, shops and stores, heating and power plants and power stations, and buildings and other structures of all types, including single and multiple-family residences, apartments, houses, office buildings, public buildings, hotels, restaurants, schools, hospitals, churches, other institutional buildings, automobiles, trucks, tractors, buses, other motor vehicles, garages vending and service locations and stations, railroad locomotives, ships, boats and other waterborne craft, portable fuel-burning equipment, incinerators of all types, indoor and outdoor, refuse dumps and piles, and all stack and other chimney outlets from any of the foregoing.

Air pollution means the presence or threatened discharge, from whatever source, of solid, semisolid, liquid or gaseous matter or any combination thereof, in the ambient air in sufficient quantities and of such characteristics and duration which:

- (1) Injures or threatens to injure human, plant or animal life; or
- (2) Damages or threatens to damage property; or
- (3) Unreasonably interferes with the comfortable enjoyment of life and property.

Allowable emissions means the emissions rate as established in the applicable air pollution control permit issue by the division.

Ambient air means any outside air.

Asbestos abatement permit means the written authorization that allows a person to remove asbestos materials and conduct asbestos abatement projects.

Board means the Indianapolis Air Pollution Control Board.

Clean Air Act of 1990 means the Federal Clean Air Act (42 USC 7401 et seq.) as amended by the Clean Air Act Amendments of 1990 (P.L. 101-549).

Construction permit means the written authorization that allows a person to construct, reconstruct or modify an air contaminant emitter.

Division means the air pollution control section of the environmental resources management division of the department of public works, Consolidated City of Indianapolis and Marion County.

Effective date means the date on which an action takes effect. For permits issued pursuant to article V of this chapter, the effective date is fifteen (15) days after the administrator signs and issues the permit. For all other actions, the effective date is when the person subject to the action receives written notice of the action.

Emission credit permit means the written authorization that allows a person to claim credit for emissions not released to the ambient air.

Facility means any one (1) structure, piece of equipment, installation operation that emits or is capable of emitting an air contaminant. Single pieces of equipment or installations with multiple emission points shall be considered a facility for purposes of this chapter and its regulations.

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Open burning or open fire means any burning of combustible matter where the products of combustion are emitted directly into the ambient air without passing through a stack or chimney.

Operating permit means the written authorization that allows a person to operate an air contaminant emitter.

Person means any individual, proprietorship, partnership, firm, company corporation, association, joint venture, trustee, estate, political or governmental unit or any other legal entity.

Potential emissions means emissions of any one (1) pollutant which would be emitted from a facility if that facility were operated without the use of pollutant control equipment unless such control equipment is (aside from air pollution control requirements) necessary for the facility to produce its normal product or is integral to the normal operation of the facility. Potential emissions shall be based on maximum rated capacity unless hours of operation are limited by enforceable permit conditions and shall be calculated according to federal emission guidelines in AP 42 -Compilation of Air Pollutant Emission Factors, or calculated based on stack test data or other data acceptable to the board.

Process means any action, operation or treatment that emits or is capable of emitting an air contaminant.

Regulation means the whole or any part of a board statement of general applicability that:

- (1) Has or is designed to have the effect of law; and
- (2) Implements, interprets or prescribes:
 - a. Law or policy; or
 - b. The organization, procedure or practice requirements of the board or division.

Source means one (1) or an aggregation of processes or facilities that are located on one (1) or more contiguous or adjacent properties and are owned or operated by the same person, or by persons under common control.

Title V operating permit means the operating permit required by Title V of the Clean Air Act of 1990.

SECTION 2. Article IV, Section 4-41 is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 4-41. Procedures.

Before a regulation, an amendment to a regulation or a repeal of a regulation becomes effective, the board and division shall comply with the following procedures:

- (1) The board shall preliminarily adopt the regulation, appoint a hearing officer or officers and schedule the matter for public hearing.
- (2) At least fifteen (15) days before the public hearing, the division shall publish a notice in a newspaper of general circulation printed and published in Marion County. The notice shall state the time and place of the hearing, the subject matter of the proposed regulation and that copies of the proposed regulation are available for public examination at the offices of the division and the office of the clerk of the city-county council.
- (3) On or before the publication date of the notice, the division shall place five (5) copies of the proposed regulation on file at the office of the clerk of the city-county council and shall keep five (5) copies on file at the division's office. The copies shall be available for public examination until the proposed regulation becomes effective. Any interested person may examine the proposed regulation during regular business hours. The clerk of the city-county council shall provide each member of the city-county council a copy of the proposed regulation.

- (4) Written comments may be submitted to the board prior to the public hearing. Any interested party may present comments at the public hearing. Unless the board or its hearing officer or officers determines for good cause to close the comment period at the conclusion of the public hearing, written comments may be submitted up to and including seven (7) days after the conclusion of the public hearing. At the hearing the board or its hearing officer or officers may further extend the period for submitting written comments. After the conclusion of the public comment period and before the board adopts the proposed regulation, the administrator shall submit to the board written response to the public comments. The board or its hearing officer or officers may continue the public hearing without publishing further notice.
- (5) Except as provided in paragraph (6) of this section, the board shall not vote on a proposed regulation until at least ten (10) days after the conclusion of the public comment period.
- (6) Upon concurrence of at least seven (7) members, the board may waive the ten-day requirement in paragraph (5) of this section.
- (7) The board shall vote on a regulation in accordance with section 4-26 of this chapter.
- (8) No later than (10) days after the board has adopted a regulation, the division shall publish a notice in a newspaper of general circulation printed and published in Marion County. The notice shall state that the board adopted a regulation, described the subject matter of the regulation, state that copies of the regulation are available for public examination at the office of the division and the clerk of the city-county council and that the regulation becomes effective on the sixty-first day after adoption unless rejected by the city-county council.
- (9) The division shall file five (5) copies of the adopted regulation with the clerk of the city-county council and keep five (5) copies on file at the division offices. The clerk of the city-county council shall provide a copy of the adopted regulation to each member of the city-county council.
- (10) The city-county council may reject, by ordinance or resolution, a regulation adopted by the board within sixty (60) days of adoption by the board. If a regulation is rejected, the regulations which were previously in effect before the rejected regulation was adopted shall remain in effect. If a regulation is not rejected, it shall be effective on the sixty-first day after adoption.
- (11) If the board amends or repeals an existing regulation, the procedures in paragraphs (1) through (10) of this section shall apply.
- (12) If the board makes substantive revisions to a proposed regulation after preliminary adoption and before final adoption, the board shall preliminarily adopt the revised proposal and follow the procedures in paragraphs ~~(a) (1)~~ through ~~(j) (10)~~.

SECTION 3. Article VI, Section 4-66 is hereby amended by inserting the underlined text and deleting the cross-hatched text to read as follows:

Sec. 4-66. Penalties.

(a) Any person found in violation of any provision of this chapter, any regulation adopted by the board or any permit issued by the division as a part of the division's program approved by or conducted pursuant to an agreement with the Indiana Department of Environmental Management may be fined an amount not to exceed ~~two ten thousand five hundred dollars (\$2,500)~~ (\$10,000) for each violation. Any person found in violation of any other provision of this chapter, any other regulation adopted by the board or any other permit issued by the division may be fined an amount not to exceed two thousand five hundred dollars (\$2,500) for each violation. Each day in violation shall be considered a separate violation.

(b) Notwithstanding section 1-8 of the Code of Indianapolis, and Marion County, Indiana or paragraph (a) of this section, the court may accept an agreement established under paragraph (b) of section 4-65 of this chapter without a finding that a violation occurred or an admission that a violation occurred if the person subject to the penalty agrees to pay the penalty pursuant to such an agreement.

(c) A court order, whether issued unilaterally by the court or pursuant to an agreement under paragraph (b) of section 4-65 of this chapter, may require the payment of stipulated penalties in the event the terms of such order are violated. The stipulated penalties shall not exceed ~~two thousand five hundred dollars (\$2,500)~~ the amounts as described in paragraph (a) of this section 4-66 for each violation. Each day in violation shall be considered a separate violation.

(d) Nothing in this section 4-66 or any other section of this chapter shall limit the division's referral of violations to other appropriate agencies for investigation of potential violations of state or federal law.

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

Councillor Hinkle reported that the Capital Asset Management Committee heard Proposal Nos. 448-458, 460, and 461, 1995 on July 19, 1995. He asked for consent to vote on Proposal Nos. 448-458, 1995 together. Consent was given.

PROPOSAL NO. 448, 1995. The proposal, sponsored by Councillor Dowden, authorizes intersection controls in the East Avalon Hills area (District 4). PROPOSAL NO. 449, 1995. The proposal, sponsored by Councillor Gilmer, authorizes a stop sign for the Chestnut Hills subdivision (District 1). PROPOSAL NO. 450, 1995. The proposal, sponsored by Councillor Gilmer, authorizes multi-way stops for the Eagle Creek North subdivision (District 1). PROPOSAL NO. 451, 1995. The proposal, sponsored by Councillor Gilmer, authorizes multi-way stops at Arabian Run and Duffer Circle, and at Arabian Run and Kinnett Lane (Districts 2, 9). PROPOSAL NO. 452, 1995. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at 14th Street and Bosart Avenue (District 15). PROPOSAL NO. 453, 1995. The proposal, sponsored by Councillor Schneider, authorizes a multi-way stop at Kilmer Lane and Susan Drive South (District 3). PROPOSAL NO. 454, 1995. The proposal, sponsored by Councillor Black, authorizes a multi-way stop at 48th Street and Park Avenue (District 6). PROPOSAL NO. 455, 1995. The proposal, sponsored by Councillor Dowden, authorizes a multi-way stop at Rolling Ridge Road and Winding Way Lane (District 4). PROPOSAL NO. 456, 1995. The proposal, sponsored by Councillors Coughenour and Mullin, authorizes a multi-way stop at State Avenue and National Avenue (Districts 20, 24). PROPOSAL NO. 457, 1995. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at Alabama Street and St. Joseph Street (District 22). PROPOSAL NO. 458, 1995. The proposal, sponsored by Councillor SerVaas, authorizes a multi-way stop at Glen Coe Drive and 63rd Street (District 2). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Hinkle moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 448-458, 1995 were adopted on the following roll call vote; viz:

22 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Franklin, Giffin, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

3 NOT VOTING: Dowden, Golc, Gray

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 448, 1995 was retitled GENERAL ORDINANCE NO. 115, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 1995

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13, Pg. 1	Albion Dr, Hampstead Ln	Hampstead Ln	Stop
13, Pg. 1	Albion Dr, Sondridge Cir	Albion Dr	Stop
13, Pg. 4	Bruton Dr, Hampstead Ct, Hampstead Ln	Bruton Dr	Yield
13, Pg. 8	Highbury Ct, Highbury Dr	Highbury Dr	Yield

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

Proposal No. 449, 1995 was retitled GENERAL ORDINANCE NO. 116, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 116, 1995

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
2, Pg. 2	Chestnut Hills Dr, Keeneland Ct	Chestnut Hills Dr	Stop

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

Proposal No. 450, 1995 was retitled GENERAL ORDINANCE NO. 117, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 117, 1995

Proposal No. 450, 1995

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
9, Pg. 5	Pin Oak Way, Pin Oak Way NDR, 57th St	None	All Way Stop
9, Pg. 5	Pin Oak Way, Wisteria Dr, Prarieclover Ln	None	All Way Stop

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

Proposal No. 451, 1995 was retitled GENERAL ORDINANCE NO. 118, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 118, 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>
9, Pg. 1	Arabian Run, Duffer Cir	Arabian Run	Stop
9, Pg. 1	Arabian Run, Kinnett Ln	Arabian Run	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>
9, Pg. 1	Arabian Run, Duffer Cir	None	All Way Stop
9, Pg. 1	Arabian Run, Kinnett Ln	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. 452, 1995 was retitled GENERAL ORDINANCE NO. 119, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 119, 1995

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 6	Bosart Av, 14th St	Bosart Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26, Pg. 6	Bosart Av, 14th 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. 453, 1995 was retitled GENERAL ORDINANCE NO. 120, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 120, 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>
5, Pg. 6	Kilmer Ln, Susan Dr S	Kilmer Ln	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
5, Pg. 6	Kilmer Ln, Susan Dr S	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. 454, 1995 was retitled GENERAL ORDINANCE NO. 121, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 121, 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>
18, Pg. 13	Park Av, 48th St	Park Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
18, Pg. 13	Park Av, 48th 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. 455, 1995 was retitled GENERAL ORDINANCE NO. 122, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 122, 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>
12, Pg. 8	Rolling Ridge Rd, Winding Way Ln	Rolling Ridge Rd	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>
12, Pg. 8	Rolling Ridge Rd, Winding Way Ln	None	All Way Stop

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

Proposal No. 456, 1995 was retitled GENERAL ORDINANCE NO. 123, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 123, 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>
39, Pg. 19	National Av, State Av	State Av	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
39, Pg. 19	National Av, State 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-I4.

Proposal No. 457, 1995 was retitled GENERAL ORDINANCE NO. 124, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 124, 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>
25, Pg. 2	Alabama St, St. Joseph St	Alabama St	Stop

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

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<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 2	Alabama St, St. Joseph 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. 458, 1995 was retitled GENERAL ORDINANCE NO. 125, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 125, 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>
10, Pg. 7	Glencoe Dr & 63rd St		None

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>
10, Pg. 7	Glen Coe Dr & 63rd 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.

[Clerk's Note: Councillor Dowden returned at this time.]

PROPOSAL NO. 468, 1995. Councillor Dowden announced that the attorneys for the petitioner and the remonstrators have reached an agreement on this matter. Councillor Dowden recommended that the Council accept this agreement and approve this rezoning.

Michael Quinn, attorney for the petitioner, stated that he and Frank Hogan, attorney for the remonstrators, with the assistance of Councillor Dowden, have reached an agreement. He said that the original petition approved by Department of Metropolitan Development ("DMD") authorized the construction of 421 homes on 304 acres. The petitioner has agreed to reduce that number to 375 homes. The Lux family has agreed not to petition to rezone a 40-acre section of this property for at least a period of ten years.

Mr. Hogan stated that one of the remonstrators' concerns has been the development and its impact on traffic in that area. He said that DCAM has indicated that projects have been scheduled for that area that will eliminate most of that traffic concern.

Councillor Dowden voiced his appreciation to all the participants in this matter, and he also commended Greg Henneke, Director, DCAM.

Councillor West asked if it is possible under the zoning laws to make commitments to build roads that do not meet the recommended standards. Maury Plambeck, Core Administrator, DMD, said that the petition requested a D-P zoning and private streets are part of that classification. DCAM provided written comments as to how the streets should be developed as to both the depth and the width. The width of these streets are 24 feet wide and DCAM accepted that width for this project.

Councillor Dowden asked if a motion could be made at this time to approve this rezoning. The President answered that a motion could be made at this time if it included a statement that the commitments by both parties would be memorialized in an official statement to be filed with the Clerk by 4 o'clock on August 4. Councillor Dowden said that his motion is exactly as the President has stated. Mr. Elrod asked that the deadline be extended to August 8. Councillor Dowden agreed to that extension.

The President reminded the Councillors that under Council rules the vote to sustain the Commission's approval to rezone this property will take 12 "yes" votes; to reject will take 18 "no" votes. The Commission's decision was approved and Proposal No. 468, 1995 was adopted by the following roll call vote; viz:

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

Councillor Dowden asked Ruth Yacko, coordinator of the Lux Property Development Remonstrance Committee, to introduce members of the various neighborhood associations involved in this matter. Ms. Yacko introduced Thom Coleman and Gale Alexander, Sargent Hills Neighborhood Association; Sally Wilson and Pam Beckman, Foxchase Homeowner Association; Jerry Russell, Sargent Road Association; Ralle Murphy, Hamptons; Ken Pendleton, Masthead Property Owners Association; and Susie McQuiston, Lantern Hills Neighborhood Association. Ms. Yacko stated that there were ten neighborhood associations that worked on this matter over the last ten months.

Tom Lux thanked his family, friends, and members of the community for their support in the effort to develop this property in Lawrence Township.

The President stated that the Council is extremely pleased that the group of citizens have come together and reached an agreement.

Proposal No. 468, 1995 was retitled REZONING ORDINANCE NO. 115, 1995, and is identified as follows:

REZONING ORDINANCE NO. 115, 1995. 95-Z-42 (95-DP-2) LAWRENCE TOWNSHIP.
COUNCILMANIC DISTRICT # 4.
9602-9902 FALL CREEK ROAD (approximate address), INDIANAPOLIS,

August 1, 1995

SCM REAL ESTATE DEVELOPMENT CO., by Thomas Michael Quinn, requests the rezoning of 304 acres, being in the D-S and D-1 Districts, to the D-P classification to provide for planned unit residential development, consisting of 421 detached single-family residential units (overall density of 1.38 units per acre) with approximately 70 acres designated as nature sanctuary.

Councillor West asked for consent to suspend the Council rules and hear Proposal No. 479, 1995 at this time. Consent was given.

PROPOSAL NO. 479, 1995. Councillor West reported that the Metropolitan Development Committee heard Proposal No. 479, 1995 on July 25, 1995. The proposal amends Special Resolution No. 48, 1995 to correct the schedule of approved Community Development Block Grant programs. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor West moved, seconded by Councillor Brents, for adoption. Proposal No. 479, 1995 was adopted on the following roll call vote; viz:

25 YEAS: *Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West*

0 NAYS:

0 NOT VOTING:

4 ABSENT: *Boyd, Gilmer, Short, Williams*

Proposal No. 479, 1995 was retitled SPECIAL RESOLUTION NO. 71, 1995, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 71, 1995

A SPECIAL RESOLUTION amending Special Resolution No. 48, 1995 concerning the amount, location and programmatic operation of certain projects to be funded from Community Development Grant Funds.

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

SECTION 1. A portion of the Community Development Committee's Recommendations for distribution of certain Community Development Block Grant Funds were submitted to and approved by the Council in Special Resolution No. 48, 1995 failed to reflect certain modifications recommended by the Council Committee, a copy of which changes is attached hereto and incorporated herein by reference as Exhibit A, and the amount, location and programmatic operation of the project set forth therein, are hereby approved.

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

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

EXHIBIT A
1995 COMMUNITY DEVELOPMENT BLOCK GRANT
COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS

	S.R. No. 48, 1995	Per Com Minutes	Net Changes
1. <u>Riley Area Revitalization Program</u> (was increased from \$10,000)	\$10,000	\$30,000	\$20,000
* Assist with the acquisition and rehabilitation of 5 units			

2. <u>Martindale-Brightwood CDC</u> (was reduced from \$220,000)	\$220,000	\$150,000	\$70,000
* To assist with homeowner repair of 20 units			
3. <u>Consortium Group</u> (new project was to be added)	-0-	\$10,000	\$10,000
* To fund a development plan for the existing Raymond Shopping Center			
4. <u>Clean City Committee</u> (new project was to be added)	-0-	\$40,000	\$40,000
* Costs incurred in the administration of the Project 180's			

PROPOSAL NO. 442, 1995. Councillor McClamroch stated that a memo has been found in the Auditor's file from the State Board of Accounts and it reads as follows:

To: County Auditors
From: Donald L. Euratte, C.P.A., State Examiner
Date: June 29, 1995
Re: Public Law 279, Senate Enrolled Act 619 - Judges Salary

Under the new provisions of IC 33-13-12-7 and IC 36-2-5-14, the additional or supplemental salary that a county is paying should be paid to the state who then pays the judge. However, the procedures to administer this change are not finalized. Counties should pay the supplemental salary directly to the judge for the balance of 1995. This should allow you to continue with your current procedures. Further details will be forthcoming as procedures are finalized through State Court Administration, the Auditor of State's office, and this agency.

Several additional issues are also currently being evaluated, especially as related to benefits. Again as these issues are finalized, you will be notified.

Should you have any questions please contact Ms. Nancy Pennycuff or Mr. Bruce Hartman of this agency.

Councillor McClamroch said that he believes this should satisfy Councillor Jimison's concerns.

Proposal No. 442, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

1 NOT VOTING: Dowden

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 442, 1995 was retitled FISCAL ORDINANCE NO. 77, 1995, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 77, 1995

A FISCAL ORDINANCE amending the City-County Annual Budget for 1995 (City-County Fiscal Ordinance No. 88, 1994) transferring, and appropriating Sixty-nine Thousand Four Hundred Eighty-five Dollars (\$69,485) 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, Room One, Two, Three, Four, Five and Six, Juvenile Division/Detention Center, Civil Divisions, Room One, Two, Three, Four, Five, Six and Seven, 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 1.02(b), (w), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii), (jj), (kk), (mm), (nn), (oo), (pp), (qq), (rr), (ss), (tt) of the City-County Annual Budget for 1995, be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of providing judicial salaries in accordance with Senate Bill 619.

August 1, 1995

SECTION 2. The sum of Sixty-nine Thousand Four Hundred Eighty-five Dollars (\$69,485) 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>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services - fringes	21,679
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	2,500
<u>CIRCUIT COURT</u>	
1. Personal Services	2,500
<u>PRESIDING JUDGE OF THE MUNICIPAL COURT</u>	
1. Personal Services	38,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM ONE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM TWO</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM THREE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FOUR</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM FIVE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CRIMINAL DIVISION, ROOM SIX</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, JUVENILE DIVISION/DETENTION CENTER</u>	
1. Personal Services	64,591
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM ONE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM TWO</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM THREE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FOUR</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM FIVE</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SIX</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, CIVIL DIVISION, ROOM SEVEN</u>	
1. Personal Services	2,500
<u>SUPERIOR COURT, PROBATE DIVISION</u>	
1. Personal Services	<u>2,500</u>
TOTAL INCREASE	164,770

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

	<u>COUNTY GENERAL FUND</u>
<u>PROSECUTING ATTORNEY</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
<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
Unappropriated and Unencumbered County General Fund	<u>69,485</u>
TOTAL DECREASE	164,770

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

August 1, 1995

PROPOSAL NO. 460, 1995. The proposal, sponsored by Councillors SerVaas and Rhodes, authorizes a one-way east bound on Westfield Boulevard from College Avenue to Guilford Avenue (Districts 2, 7). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Rhodes, for adoption. Proposal No. 460, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, Jones, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Tilford, West

0 NAYS:

1 NOT VOTING: Smith

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 460, 1995 was retitled GENERAL ORDINANCE NO. 126, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 126, 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 addition of the following, to wit:

EASTBOUND

Westfield Boulevard, from College Avenue to Guilford Avenue

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

PROPOSAL NO. 461, 1995. The proposal, sponsored by Councillors Gilmer and Gray, authorizes a 35 mph speed limit for 59th Street from Moller Road to Guion Road (Districts 1, 9). By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Gray, for adoption. Proposal No. 461, 1995 was adopted on the following roll call vote; viz:

24 YEAS: Beadling, Black, Borst, Brents, Coughenour, Curry, Dowden, Franklin, Giffin, Golc, Gray, Hinkle, Jimison, McClamroch, Moriarty Adams, Mullin, O'Dell, Rhodes, Schneider, SerVaas, Shambaugh, Smith, Tilford, West

0 NAYS:

1 NOT VOTING: Jones

4 ABSENT: Boyd, Gilmer, Short, Williams

Proposal No. 461, 1995 was retitled GENERAL ORDINANCE NO. 127, 1995, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 127, 1995

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

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

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

35 MPH
39th Street, from Moller Road to Guion Road

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

OLD BUSINESS

Councillor Coughenour asked that Proposal Nos. 443 and 445, 1995 be heard at this time. Mr. Elrod stated that since these fiscal ordinances come under the 30-day rule, they have not been advertised and cannot be heard until August 28, 1995. Councillor Coughenour asked for a copy of that Council rule.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:36 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 1st day of August, 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)