

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

**REGULAR MEETINGS
MONDAY, OCTOBER 28, 1996**

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 7:01 p.m. on Monday, October 28, 1996, with Councillor SerVaas presiding.

Councillor Boyd 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: Black, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams
4 ABSENT: Borst, Gilmer, Moores, Smith

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Dowden congratulated three Council office staff members on significant life events. He wished Peggy Stawick, Assistant Clerk, a happy birthday; congratulated Angie (Baker) Massey, Administrative Secretary, on her recent marriage; and welcomed back Heather Fultz-Smith, Administrative Secretary, from maternity leave after having a healthy baby girl.

Councillor Dowden said that although he had stated it was his intention to hear Proposal No. 658, 1996 at the October 30th meeting of the Public Safety and Criminal Justice Committee, the proposal would have to be postponed until the grand jury and internal affairs investigations were completed, so as not to interfere with due process. Councillor Boyd stated that this was

unacceptable, and that the hearing should proceed on October 30 as stated previously. He explained that several witnesses were preparing to testify at Wednesday's meeting. The President requested that Councillor Dowden give the rescheduling further thought and inform Councillor Boyd of any change in his decision at the end of the meeting.

OFFICIAL COMMUNICATIONS

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

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

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, October 28, 1996, 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

October 15, 1996

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 *Court & Commercial Record* on Wednesday, October 16, 1996, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, October 17, 1996, a copy of a Notice of Public Hearing on Proposal Nos. 660 and 698, 1996, said hearing to be held on Monday, October 28, 1996, at 7:00 p.m. in the City-County Building.

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

October 18, 1996

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:

FISCAL ORDINANCE NO. 95, 1996 - a transfer of \$614,219 in the County General Fund to allow various county agencies to pay their 1996 ISA charges

FISCAL ORDINANCE NO. 96, 1996 - an appropriation of \$2,350,000 for the County Sheriff to pay for renovation of the Service Supply Building to be used as a jail annex financed by a grant from the United States Marshals Service

FISCAL ORDINANCE NO. 98, 1996 - an appropriation of \$39,000 for the Marion County Superior Court to fund Project Impact financed by a state grant

FISCAL ORDINANCE NO. 99, 1996 - an appropriation of \$22,500 for the Marion County Superior Court to fund a state grant for Big Sisters

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FISCAL ORDINANCE NO. 100, 1996 - an appropriation of \$328,620 for the Prosecuting Attorney to continue the comprehensive traffic safety program financed by a federal grant

FISCAL ORDINANCE NO. 101, 1996 - an appropriation of \$77,817 for the Prosecuting Attorney and County Auditor to continue a study compiling figures on people sentenced to specific programs after conviction of drunk driving offenses funded by a grant from the Governor's Council on Impaired and Dangerous Driving

FISCAL ORDINANCE NO. 102, 1996 - an appropriation of \$263,880 for the Department of Public Safety, Emergency Management Division, to provide warning siren initiatives financed from revenues in the City Cumulative Capital Development Fund

FISCAL ORDINANCE NO. 103, 1996 - an appropriation of \$290,000 in the Information Services Internal Service Fund for the Information Services Agency to pay increases in the wiring contract and voice mail maintenance contract, and in the increased telephone charges associated with supporting over 5,000 telephone lines financed by revenues from telephone customers

FISCAL ORDINANCE NO. 105, 1996 - an appropriation of \$15,612 for the Prosecuting Attorney to continue the domestic violence emergency shelter and out-patient programs through the Salvation Army financed by a state grant

FISCAL ORDINANCE NO. 106, 1996 - an appropriation of \$234,077 to provide a violent crime enforcement experiment for the Department of Public Safety, Police Division, financed by a federal grant

FISCAL ORDINANCE NO. 107, 1996 - a transfer of \$94,500 in the County General Fund for the Cooperative Extension Service to correct Fiscal Ordinance No. 68, 1996, which appropriated the funds in the wrong character

FISCAL ORDINANCE NO. 108, 1996 - an appropriation of \$175,000 for the Marion County Justice Agency to pay contractual data processing charges financed by a transfer within the Justice Agency's and County Auditor's County General Fund

GENERAL ORDINANCE NO. 140, 1996 - seeks authorization for Mayor Goldsmith, as Chief Executive, to execute a lease on behalf of Marion County with the Indianapolis-Marion County Building Authority for real estate located at 730 East Washington Street and 752 East Market Street for use as a supplemental jail facility

GENERAL ORDINANCE NO. 141, 1996 - authorizes a traffic signal at 71st Street/Waldemar Drive/Pike High School Access Drive (District 1)

GENERAL ORDINANCE NO. 142, 1996 - authorizes parking restrictions on 79th Street, both sides, from Moore Road to Fox Run Road; and on Noel Road, both sides, from 79th Street to Lafayette Road (District 1)

GENERAL ORDINANCE NO. 143, 1996 - authorizes a weight limit restriction on Pine Street from I-70 (Fletcher Avenue) to Elm Street (District 21)

GENERAL ORDINANCE NO. 144, 1996 - authorizes a traffic signal at Fox Hill Road and Michigan Road (District 1)

GENERAL ORDINANCE NO. 145, 1996 - authorizes intersection controls for Cherry Lakes Subdivision, Section 8 (District 5)

GENERAL ORDINANCE NO. 146, 1996 - authorizes a multi-way stop at 79th Street and Oaklandon Road (District 5)

GENERAL ORDINANCE NO. 147, 1996 - authorizes a multi-way stop at Hadleigh Drive, High School Road southbound and Hanna Avenue (District 19)

GENERAL ORDINANCE NO. 148, 1996 - authorizes multi-way stops at Johnson Road at 65th Street, Lowanna Way, and Creekside Lane (District 4)

GENERAL ORDINANCE NO. 149, 1996 - authorizes a multi-way stop at Carrollton Avenue and 44th Street (District 6)

GENERAL ORDINANCE NO. 150, 1996 - authorizes parking restrictions on Meridian Street from 400 feet south of Epler Avenue to Dudley Avenue (District 25)

GENERAL ORDINANCE NO. 151, 1996 - authorizes one-hour parking meters on University Boulevard, on the east side, from a point 174 feet north of New York Street to a point 483 feet north of New York Street (District 16)

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- GENERAL ORDINANCE NO. 152, 1996 - authorizes intersection controls for Perry Lakes Subdivision (District 20)
- GENERAL ORDINANCE NO. 153, 1996 - authorizes a multi-way stop at Edwards Avenue and State Avenue (Districts 20, 24)
- GENERAL ORDINANCE NO. 154, 1996 - authorizes a multi-way stop at 46th Street and McCoy Street (Districts 5, 14)
- GENERAL ORDINANCE NO. 155, 1996 - authorizes a multi-way stop at Lexington Avenue and Pine Street (District 21)
- GENERAL ORDINANCE NO. 156, 1996 - authorizes a multi-way stop at Midnight Drive and Tanninger Drive, and at Tanninger Drive and Timber Creek Drive (District 13)
- GENERAL ORDINANCE NO. 157, 1996 - authorizes a change in speed limit from 25 mph to 35 mph on 86th Street between Oaklondon Road and County Line Road (District 5)
- GENERAL ORDINANCE NO. 158, 1996 - authorizes parking restrictions on the south side of 13th Street from Delaware Street to a point 242 feet east of Delaware Street (District 22)
- GENERAL ORDINANCE NO. 159, 1996 - authorizes the deletion of parking restrictions on the west side of Hinesley Avenue from 46th Street to the first alley north of 46th Street (District 6)
- GENERAL ORDINANCE NO. 160, 1996 - authorizes the removal of the traffic signal located on Sherman Drive at Thomson Consumer Electronics Access Drive (800 N) (District 15)
- SPECIAL ORDINANCE NO. 17, 1996 - a special ordinance for the Archdiocese of Indianapolis authorizing the design, acquisition, construction, equipping and furnishing of educational facilities located in Indianapolis in an amount not to exceed \$60,000,000 (Districts throughout Marion County)
- SPECIAL RESOLUTION NO. 55, 1996 - remembers the life of Jack E. Reich
- SPECIAL RESOLUTION NO. 56, 1996 - recognizes Pearl White Wheeler
- SPECIAL RESOLUTION NO. 57, 1996 - recognizes WCTY Cable TV 16 for earning national awards
- SPECIAL RESOLUTION NO. 58, 1996 - recognizes the World War II 64th Troop Carrier Group veterans
- SPECIAL RESOLUTION NO. 59, 1996 - extends S.R. 39, 1996 for Oakland Civic Charities Foundation in an amount not to exceed \$6,950,000 to proceed with the acquisition and renovation of a 162-unit building at 38th and Meridian Streets (The Summit House Project) (District 6)
- SPECIAL RESOLUTION NO. 60, 1996 - extends S.R. 31, 1996 for Oakland Civic Charities Foundation in an amount not to exceed \$8,270,000 to proceed with the acquisition and renovation of a 324-unit facility located on several parcels between 5600 and 5900 West 38th Street (Eagle Terrace Apartments Project) (District 8)
- SPECIAL RESOLUTION NO. 61, 1996 - an Inducement Resolution for Ripple Creek, L.P. in an amount not to exceed \$11,500,000 to proceed with the acquisition and rehabilitation of the existing 400-unit Brittany Woods Apartment located at 5018 LeMans Drive (Ripple Creek, L.P. Project) (District 6)

Respectfully,
s/Stephen Goldsmith, Mayor

ADOPTION OF THE AGENDA

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

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of October 14, 1996. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 711, 1996. The proposal, sponsored by Councillor Dowden, congratulates the Animal Control Division for their national award. Councillor Dowden read the proposal and presented copies of the document and Council pins to Animal Control representatives present. Ann Curry, Council appointee and Chairman of the Animal Control Board, introduced the representatives, and Lieutenant Spencer Moore thanked the council for this recognition. Councillor Dowden moved, seconded by Councillor Franklin, for adoption. Proposal No. 711, 1996 was adopted by a unanimous voice vote.

Proposal No. 711, 1996 was retitled SPECIAL RESOLUTION NO. 62, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 62, 1996

A SPECIAL RESOLUTION congratulating the Animal Control Division for their national award.

WHEREAS, only a few short years ago the future of the Indianapolis Animal Control Division was uncertain, vacancies went unfilled and morale was low; and

WHEREAS, from that low point, the Division has rebounded to the level of winning the PETsMART Humane Award of Excellence last month for being "...in the forefront of animal welfare issues today, actively seeking to solve the pet overpopulation problem."; and

WHEREAS, the Division's efforts have resulted in a tremendous increase in adoptions, a decrease in the destruction of animals, and an energetic public education program; and

WHEREAS, Animal Control's statistics bear out the reasons why these city workers earned the national award: The animal destruction rate has dropped from 86% down to 71%, adoptions are up 265% and the 1996 adoption rate has already exceeded 1,000 animals for the first time in the history of the Division; 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 congratulates the Indianapolis Animal Control Division for its recent accomplishments and for being recognized on the national level by the PETsMART company.

SECTION 2. Such a turnaround story is a high tribute to all who work at the Animal Control Division.

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. 712, 1996. The proposal, sponsored by Councillor Coughenour, congratulates the WREP Wastewater Olympics team. Councillor Coughenour read the proposal and presented copies of the document and Council pins to team members and coach. Councillor Coughenour moved, seconded by Councillor Coonrod, for adoption. Proposal No. 712, 1996 was adopted by a unanimous voice vote.

Proposal No. 712, 1996 was retitled SPECIAL RESOLUTION NO. 63, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 63, 1996

A SPECIAL RESOLUTION congratulating the WREP Wastewater Olympics team.

WHEREAS, the operators of the Indianapolis wastewater treatment plant has a strong tradition of winning awards for their competence, knowledge and skill; and

WHEREAS, for the third year in a row, the Indianapolis White River Environmental Partnership (WREP) team won the Indiana Water Pollution Control Association's state championship which was held in Bloomington earlier this year; and

WHEREAS, but this year's exceptional team went on from the state contest to win third place in the International Wastewater Olympics held in Dallas, Texas, that was conducted by the Water Environment Federation; and

WHEREAS, in the international contest the WREP team scored high in the collection system, process control, safety and pump competition, and earned first place in the laboratory event; 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 congratulates the WREP team for its outstanding performance in the International Wastewater Olympics.

SECTION 2. The Council specifically commends team members Ken Barnes, Bob Fincher, Ken Fincher, Doug Whitman, and Coach Monty Sawyer, who all put in a tremendous amount of time for training and preparation in addition to their regular work responsibilities.

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. 728, 1996. The proposal, sponsored by Councillors Bradford and SerVaas, recognizes the state champion Park Tudor tennis team. Councillor Bradford read the proposal and presented copies of the document and Council pins to team members and coach. Coach Dave Heffern thanked the Council for this recognition. Councillor Bradford moved, seconded by Councillor SerVaas, for adoption. Proposal No. 728, 1996 was adopted by a unanimous voice vote.

Proposal No. 728, 1996 was retitled SPECIAL RESOLUTION NO. 64, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 64, 1996

A SPECIAL RESOLUTION recognizing the state champion Park Tudor tennis team.

WHEREAS, the Park Tudor Panthers boys' tennis team started and finished this year's season as the top ranked team in the state; and

WHEREAS, during the regular season they won 23 matches and lost only one to the defending state champion North Central High School; and

WHEREAS, at the Indiana High School Athletic Association tennis finals on October 19th, the Park Tudor team was assisted by a huge emotional lift from the loyal Park Tudor fans who actively supported their school's team; and

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WHEREAS, at the IHSAA's 30th annual team tennis championship finals, Park Tudor triumphed over Terre Haute South to capture the state title--a very proud moment for the players, for their supporters and for the school; 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 IHSAA tournament state champion Park Tudor School tennis team.

SECTION 2. The Council specifically commends team members Matt Behrmann, Eric Gershman, Kevin Gill, John Pearson, Jamie Knall, Wade Knall, Casey McGaughey, Scott Sadove, Alex Tolbert, Brian House and Alex Taurel; coaches Dave Heffern and Janice Budreau; the encouraging families of the players; and all those at Park Tudor who helped support their school's winning team.

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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 700, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Zoning Ordinance of Marion County concerning "nonconforming uses" (96-AO-4)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 701, 1996. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is a transfer between characters of \$150,000 in the Redevelopment General Fund to allow correct accounting treatment for certain expenditures in the facade improvement program for the Department of Metropolitan Development, Division of Economic and Housing Development"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 702, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$30,960 for the Marion County Superior Court to pay expenses of the probation department financed by revenues in the Supplemental Adult Probation Fee Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 703, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$20,800 for the Prosecuting Attorney to provide victim assistance training for the Victim Assistance Network financed by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 704, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$12,000 in the County General Fund for the Public Defender Agency to pay telephone expenses financed by reimbursements from the Sheriff's Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 705, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is a transfer of \$10,149 in the State and Federal Grants Fund for the Community Corrections Agency to pay accrued time to two employees that resigned from the agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 706, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is an appropriation of \$275,187 for the Community Corrections Agency to fund the home detention program for fiscal year 1996-97 financed by home detention user fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 707, 1996. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which is a transfer of \$16,135 in the County General Fund for the Community Corrections Agency to pay for equipment maintenance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 708, 1996. Introduced by Councillor Massie. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a weight limit restriction on Webb Street from Raymond Street to LeGrande Avenue (District 20)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 709, 1996. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a loading zone for George Wood Associates at 870 Massachusetts Avenue (District 22)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 710, 1996. Introduced by Councillor Brents. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in bus zones from (1) Washington Street and Delaware Street to Washington Street and Senate Street, and (2) Pennsylvania Street and Ohio Street to Pennsylvania Street and Market Street (District 16)"; and the President referred it to the Capital Asset Management Committee.

PROPOSAL NO. 713, 1996. Introduced by Councillor Williams. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves certain public purpose grant for support of the arts"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 729, 1996. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which supports an application to the Indiana Enterprise Zone Board for the expansion of the Indianapolis Enterprise Zone"; and the President referred it to the Economic Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 714-727, 1996. Introduced by Councillor Hinkle. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on October 24, 1996." The Council did not schedule Proposal Nos. 714-727, 1996 for hearing pursuant to IC 36-7-4-608. Proposal Nos. 714-727, 1996 were retitled REZONING ORDINANCE NOS. 226-239, 1996, and are identified as follows:

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REZONING ORDINANCE NO. 226, 1996. 96-Z-145 (96-DP-15)
9704 EAST 63RD STREET (approximate address), CITY OF LAWRENCE.
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5
THE LEWIS GROUP, INC., requests a rezoning of 32 acres, being in the D-1 District, to the D-P classification to provide for the construction of a single-family residential development consisting of approximately 60 lots.

REZONING ORDINANCE NO. 227, 1996. 96-Z-198
521 EAST NORTH STREET (approximate address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT #22
The applicant requests the rezoning from I-3-U to the CBD-2 zoning classification to conform to the existing use and recommendation of the Lockerbie Square Historic Area Preservation Plan.

REZONING ORDINANCE NO. 228, 1996. 96-Z-42 (96-DP-4) (Amended)
8101 EAST SOUTHPORT ROAD (approximate address), INDIANAPOLIS.
FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23.
DENNIS E. COPENHAVER, by James B. Burroughs, requests a rezoning of 93.5 acres, being in the D-A District, to the D-P classification to provide for a single-family residential planned unit development consisting of 199 lots.

REZONING ORDINANCE NO. 229, 1996. 96-Z-125 (Amended)
2008 and 2014 NORTH POST ROAD (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13
DONALD J. and MARSHA J. THARP, by Peter D. Cleveland, request a rezoning of 0.8 acre, being in the D-3 District, to the C-4 classification to provide for commercial development including the construction of a retail pharmacy and a bank with a drive-through and walk-in facilities.

REZONING ORDINANCE NO. 230, 1996. 96-Z-174
8960 WEST 21ST STREET (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18
REPUBLIC DEVELOPMENT CORPORATION, by James R. Nickels, requests a rezoning of 18.213 acres, being in the D-A District, to the D-4 classification to provide for residential development by platting.

REZONING ORDINANCE NO. 231, 1996. 96-Z-182
10614 EAST 25TH STREET (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 5
JUANITA FRANKE, by David F. Rees, requests a rezoning of 0.66 acre, being in the SU-2(FW) District, to the D-2(FW) classification to provide for the construction of a single-family residence.

REZONING ORDINANCE NO. 232, 1996. 96-Z-183
4190 WEST 56TH STREET (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 9
LANCE SANDLIAN, by Thomas Michael Quinn, requests a rezoning of 2.27 acres, being in the I-2-S and I-3-S Districts, to the C-3 classification to provide for neighborhood retail uses.

REZONING ORDINANCE NO. 233, 1996. 96-Z-186
3361 NORTH GEORGETOWN ROAD (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 9
CHARLES BLADE, by Dennis L. Elschide, requests a rezoning of 0.55 acre, being in the D-5(FW) District, to the C-4(FW) classification to provide for commercial uses including the operation of a light automobile repair business.

REZONING ORDINANCE NO. 234, 1996. 96-Z-188
1702 NORTH ILLINOIS STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

MID-TOWN NURSING & REHABILITATION CENTER, L.L.C., by John H. Sharpe, requests a rezoning of 0.85 acre, being in the C-4(RC) District, to the C-1(RC) classification to provide for the continued operation of a nursing home facility.

REZONING ORDINANCE NO. 235, 1996. 96-Z-189
3801 NORTH TEMPLE AVENUE (approximate address), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 11
THE CHILDREN'S BUREAU OF INDIANAPOLIS, INC., by James Beatty, requests a rezoning of 1.0541 acres, being in the D-5 District, to the C-1 classification to provide for commercial office uses including the construction of a multi-service center.

REZONING ORDINANCE NO. 236, 1996. 96-Z-192
1202 EAST HANNA AVENUE (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20
UNIVERSITY OF INDIANAPOLIS, by Jeffrey Scripture, requests a rezoning of 6.5 acres, being in the C-4 District, to the UQ-1 classification to provide for educational, university uses.

REZONING ORDINANCE NO. 237, 1996. 96-Z-193
4202 WEST 56th STREET (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 9
MUNDY REALTY, INC., by Thomas Michael Quinn, requests a rezoning of 0.79 acre, being in the I-2-S District, to the C-3 classification to provide for commercial development.

REZONING ORDINANCE NO. 238, 1996. 96-Z-194
8881 ALLISONVILLE ROAD (approximate address), INDIANAPOLIS.
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3
SUNBEAM DEVELOPMENT CORPORATION, by Thomas Michael Quinn, requests a rezoning of 2.390 acres, being in the C-2 District, to the C-S classification to provide for a hotel.

REZONING ORDINANCE NO. 239, 1996. 96-Z-195
8101 ROCKVILLE ROAD (rear)(approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19
CLOVERLEAF PROPERTIES requests a rezoning of 19.953 acres, being in the C-S District, to the I-3-S classification to provide for the industrial development including office/warehouse facilities and a sheet metal sales facility.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 608, 1996. The proposal proposes the rezoning of 0.81 acre at 6001 South Harding Street, being in the D-A(FF) District, to the C-S(FF) classification to provide for the construction of an office/warehouse facility containing 5,500 square feet of building area. Proposal No. 608, 1996 was scheduled for public hearing on September 30, 1996. It was postponed until October 28, 1996.

Councillor Hinkle made the following motion:

Mr. President:

The petitioners and remonstrators continue to negotiate a resolution of the rezoning case of 6001 South Harding Street, and Dr. Borst has requested and petitioner has consented to a continuance of the hearing scheduled for this meeting.

I, therefore, move that the public hearing on Proposal No. 608, 1996 (Rezoning Docket No. 96-Z-74) be postponed and rescheduled for November 25, 1996.

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Councillor Coughenour seconded the motion, and Proposal No. 608, 1996 was postponed until November 25, 1996 by a unanimous voice vote.

PROPOSAL NO. 660, 1996. The proposal is an appropriation of \$140,947 for the Prosecuting Attorney to continue funding six victim advocates working in various courts financed by federal and state grants. Councillor Dowden moved, seconded by Councillor Curry, to postpone Proposal No. 660, 1996 until November 11, 1996. Proposal No. 660, 1996 was postponed by a unanimous voice vote.

PROPOSAL NO. 698, 1996. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 698, 1996 on October 21, 1996. The proposal is an appropriation of \$260,000 for the County Recorder to convert 1987 through 1993 microfilm documents to optical platters for the document imaging system financed by County Recorder's Perpetuation Fund balance. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor O'Dell asked if optical platter imaging was the latest in up-to-date technology. Councillor Curry stated that optical imaging was far superior to what was currently in place, but that it was not the most advanced technology available.

Councillor Golc stated that he was confused and thought the optical platter system was already in place. He explained that he had taken a tour and was impressed with the technology. Councillor Hinkle stated that this appropriation was for Phase II of the conversion process.

The President called for public testimony at 7:40 p.m. There being no one present to testify, Councillor Hinkle moved, seconded by Councillor Boyd, for adoption. Proposal No. 698, 1996 was adopted on the following roll call vote; viz:

24 YEAS: Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams

0 NAYS:

1 NOT VOTING: Black

4 ABSENT: Borst, Gilmer, Moores, Smith

Proposal No. 698, 1996 was retitled FISCAL ORDINANCE NO. 110, 1996, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 1996

A FISCAL ORDINANCE amending the City-County Annual Budget for 1996 (City-County Fiscal Ordinance No. 86, 1995) appropriating an additional Two Hundred Sixty Thousand Dollars (\$260,000) in the County Recorder's Perpetuation Fund for purposes of the County Recorder and reducing the unappropriated and unencumbered balance in the County Recorder's Perpetuation 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(h) of the City-County Annual Budget for 1996 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Recorder to convert 1987 through 1993 microfilm documents to optical platters for the document imaging system.

SECTION 2. The sum of Two Hundred Sixty Thousand Dollars (\$260,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY RECORDER</u>	<u>COUNTY RECORDER'S PERPETUATION FUND</u>
3. Other Services and Charges	<u>260,000</u>
TOTAL INCREASE	260,000

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

	<u>COUNTY RECORDER'S PERPETUATION FUND</u>
Unappropriated and Unencumbered	
County Recorder's Perpetuation Fund	<u>260,000</u>
TOTAL REDUCTION	260,000

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

Councillor Curry reported that the Rules and Public Policy Committee heard Proposal Nos. 329, 455, and 662-665, 1996 on October 15, 1996.

PROPOSAL NO. 329, 1996. The proposal establishes a Cable Franchise Fees Fund as a non-reverting county fund. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Curry moved, seconded by Councillor Coughenour, to strike. Proposal No. 329, 1996 was stricken by a unanimous voice vote.

PROPOSAL NO. 455, 1996. The proposal amends the Code concerning Capital Improvement Plans. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Curry moved, seconded by Councillor Short, for adoption. Proposal No. 455, 1996, as amended, was adopted on the following roll call vote; viz:

25 YEAS: Black, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams

0 NAYS:

4 ABSENT: Borst, Gilmer, Moores, Smith

Proposal No. 455, 1996, as amended, was retitled GENERAL ORDINANCE NO. 161, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 161, 1996

A PROPOSAL FOR A GENERAL ORDINANCE to amend the Code of the City of Indianapolis and Marion County, Indiana concerning Capital Improvement Plans.

WHEREAS, the Consolidated City and County adopted a Capital Improvement Program for the period 1993-1995 which identified various public infrastructure improvements to be undertaken for that period;

WHEREAS, the Administration has begun to develop a Capital Improvement Program for the period 1996-2002; and

October 28, 1996

WHEREAS, the City-County Council, upon the advice of the business community, desires to establish guidelines for the development, term and review of all capital improvement programs undertaken by the Consolidated City and County; now, therefore:

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

SECTION I. Title I of the Revised Code of the Consolidated City and County is hereby amended by adding a NEW Chapter 182 to read as follows:

CHAPTER 182. CAPITAL IMPROVEMENT PLANS

Sec. 182-1. Established.

This chapter establishes the procedures for the development and review of all capital improvement programs undertaken by the Consolidated City and County.

Sec. 182-2. Capital Improvement Program defined.

(a) "Capital improvement program" means a plan for the construction, reconstruction, renovation, rehabilitation, refurbishment, improvement and maintenance of the following:

- (1) Roads, streets, highways, thoroughfares, sidewalks, bridges and other public ways.
- (2) Wastewater treatment facilities, sanitary sewers, storm sewers, combined sewers and sewage works of any kind.
- (3) Stormwater systems, drains, levees and flood control projects.
- (4) Park and recreational facilities, including greenways.
- (5) Fire and police stations.
- (6) Facilities or systems for the collection, transportation, transfer and disposal of solid waste.

(b) The Capital Improvement Program shall include recommendations for:

- (1) annual capital/construction expenditures; and
- (2) annual maintenance expenditures;

for the entire term of the Capital Improvement Program.

Sec. 182-3. Capital Improvement Program - Term.

A capital improvement program shall be established for a four-year period and shall be updated in accordance with Sec. 181-6. The term shall commence on the January 1 of the year immediately following the year in which the mayor and members of the city-county council shall take office.

Sec. 182-4. Preparation of Capital Improvement Program.

The directors of the departments of administration, capital asset management, parks and recreation, public works and the city controller shall be jointly responsible for the preparation of the capital improvement program.

- (1) The director of the department of public safety shall be responsible for the preparation of the portion of the capital improvement program relating to police and fire stations.
- (2) The director of the department of capital asset management shall be responsible for:
 - a. the preparation of the portion of the capital improvement program relating to roads, streets, bridges and other public ways, sanitary and stormwater systems, drains, levees and flood control projects; and

- b. the assimilation of all of portions of the capital improvement program into a single cohesive document.
- (3) The director of public works shall be responsible for the preparation of the portion of the capital improvement program relating to facilities for the collection, transportation, transfer and disposal of solid waste.
- (4) The director of parks shall be responsible for the preparation of the portion of the capital improvement program relating to park and recreational facilities, including greenways.
- (5) The city controller shall be responsible for identifying the appropriate revenue sources from which the capital improvement program is to be financed, and shall make recommendations concerning the issuance of bonds or other obligations, the implementation of any user fee systems, and the appropriate rate of taxation for the cumulative capital development funds, property tax levies and other local taxes.

Sec. 182-5. Review of Capital Improvement Program

(a) The capital improvement program shall be submitted to the City-County Council for its review no later than the first Monday in May of the year immediately preceding the year in which the capital improvement program will become effective.

(b) The City-County Council shall conduct at least two public meetings on the proposed capital improvement program prior to the January 1 on which the capital improvement plan is scheduled to take effect. At the conclusion of those meetings, the City-County Council may recommend revisions to the proposed capital improvement program as it determines are in the best interests of the residents of the Consolidated City or the County.

(c) Beginning with the date that is one hundred eighty (180) days after the effective date of the capital improvement program and semi-annually thereafter, the director of the department of capital asset management and the city controller shall jointly prepare a report concerning the status, including planned or undertaken additions or deletions to the capital improvement program, and submit the report to the City-County Council for its review.

Sec. 182-6. Update of Capital Improvement Program.

(a) The director of the department of capital asset management shall coordinate an annual update of the capital improvement program. The annual update shall include revisions that have occurred to the existing plan and revised estimates for:

- (1) annual capital/construction expenditures; and
- (2) annual maintenance expenditures.

(b) The annual update shall be submitted to the City-County Council on or before the first Monday in August of each year for its review.

(c) The City-County Council shall complete its review of the annual update no later than December 1 of the year in which the annual update is submitted.

SECTION 2. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 3. All ordinances, or parts thereof, in conflict with the provisions of this ordinance, are, to the extent of such conflict, hereby repealed or amended.

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

(b) Section 182-5 and Section 185-6 shall apply to a capital improvement program prepared for the period 1997-2001.

The President stated that Proposal Nos. 662-665, 1996 would be voted on together.

PROPOSAL NO. 662, 1996. The proposal concerns cable television. PROPOSAL NO. 663, 1996. The proposal regards telecommunications policy. PROPOSAL NO. 664, 1996. The proposal regards local government's authority over the public rights-of-way. PROPOSAL NO. 665, 1996. The proposal regards cellular and satellite antenna zoning preemption. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Curry moved, seconded by Councillor Coughenour, for adoption. Proposal Nos. 662-665, 1996 were adopted on the following roll call vote; viz:

25 YEAS: Black, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams

0 NAYS:

4 ABSENT: Borst, Gilmer, Moores, Smith

Proposal No. 662, 1996 was retitled SPECIAL RESOLUTION NO. 65, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 1996

A SPECIAL RESOLUTION concerning cable television.

WHEREAS, cable television exerts an enormous influence on the lives and culture of many community residents and is becoming the unique and essential source of information; and

WHEREAS, local governments attempt through the franchising process to monitor the performance of cable television operators to ensure that the operators provide quality services to consumers in all sections of a franchise area; and

WHEREAS, the Cable Communications Act of 1984 as amended by the Cable Television Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996 and subsequent decisions by the courts and the Federal Communications Commission have substantially deregulated cable television and have left local government with diminished power in the area of franchising, renewals, transfers, rate regulations, technical standards, and other matters; and

WHEREAS, rate increases and lack of response to consumer complaints by cable operators have resulted in dissatisfaction by some subscribers to cable television; and

WHEREAS, cable television provides an excellent medium for community communications through the distribution of information of local public interest; and

WHEREAS, because fiber optic cable is becoming the highway of the information age, local governments should adopt policies which encourage its installation as rapidly and on as widespread a basis as possible, in order to ensure that local governments, especially rural communities, have the same information age capabilities as urban areas; and

WHEREAS, the cable industry has shown little interest in providing cable services to areas of low population density, and many counties contain areas unserved by any cable television; 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 joins with the National Association of Counties in calling upon the Congress and the Administration to enhance the ability of local franchising authorities to protect the interest of consumers in quality, yet affordable, cable television services, and to enact laws which encourage greater competition for the cable franchises and in the cable industry, and which

encourage the availability of fiber optic cable as rapidly and on as widespread a basis as possible, so that rural areas have the same capabilities as urban areas. Specifically, the Indianapolis City-County Council urges the Congress and the Administration to support legislation in the following areas:

Franchising -

1. Competition--any provider capable of doing so, including telephone companies, should be allowed to provide video services using a cable system, an open video system, a video traffic system, or a radio based system. Telephone companies providing video services must be subject to safeguards to protect consumers against cross-subsidy.
2. Limiting multiple system operators (MSOs)--limitations should be imposed on the concentration of ownership in the cable industry, perhaps to 25 percent of households as now applies in the broadcasting industry.
3. Issuing Franchises--local governments must clearly have the authority to issue franchises, including those requested which would create an overbuild situation.
4. Franchise fee--the definition of franchise fees must be clarified so that local government can collect 5 percent of all sources of gross revenue from activities of a cable operator, including hookups, disconnects, advertising, late fees, etc.
5. Renewals--local governments must be able to deny a renewal application for cause, i.e., renewals cannot be considered automatic, and have the right to solicit competitive bids from the other cable operators.
6. Terminations--the local franchising authority must have the authority to terminate a cable operator for cause. Under current circumstances, it can be more profitable for an operator to violate a franchise agreement than to follow it.
7. Transfer of Franchises--transfer of franchises involving changes in the ownership or control of the franchise holder cannot occur without explicit approval of local government.

Rates-

1. Regulation of all rates and services must be an option offered to local government.

Service-

1. Lifeline Service--a minimum package of services must be offered at a rate that is just, reasonable, and affordable.
2. Universal Service--if a local franchising authority wants it, universal service must be provided to the entire franchise territory. This is particularly important to rural and low income residents who often are denied service.
3. Rural Services--equal access at fair rates must be available for residents of rural counties and rural areas within counties.
4. Consumer Protection--authority be given to allow local governments to create a strong cable consumer protection process.

SECTION 2. The Indianapolis City-County Council directs that a copy of this Special Resolution be distributed to Indiana's United States Senators, to all United States Representatives representing Marion County, to the Chairman of the Federal Communications Commission, to the President of the United States, to all State Senators and Representatives representing Marion County, to the Chairman of the Indiana Utility Regulatory Commission, and to the Governor.

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.

October 28, 1996

Proposal No. 663, 1996 was retitled SPECIAL RESOLUTION NO. 66, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 1996

A SPECIAL RESOLUTION regarding telecommunications policy.

WHEREAS, local governments welcome and support the development of a fully competitive telecommunications marketplace; and

WHEREAS, reform of the nation's telecommunications policy should reflect a partnership of the federal-state-local levels of government; and

WHEREAS, local governments are in a key position to facilitate the creation of such a system; and

WHEREAS, telecommunications will play an important role in operations of local government and in the delivery of services; and

WHEREAS, local governments need to play an important role in the planning and development of these telecommunications services; and

WHEREAS, there is a very close link between telecommunications and economic development; and

WHEREAS, the "information superhighway" will seek to use substantial amounts of valuable local government real estate assets worth billions of dollars in the form of public rights-of-way which are held in trust by local governments to benefit the local community; and

WHEREAS, these rights-of-way are public assets with finite capacity paid for and maintained by the taxpayers; and

WHEREAS, sound public policy requires that if the private sector seeks to use such rights-of-way it should provide appropriate compensation to the local government of jurisdiction and to the public; 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 joins with the National Association of Counties in calling upon the Congress, the administration, and the Federal Communication Commission to enhance the ability of local governments to protect the interests of consumers and taxpayers in the development of high quality telecommunications services which serve the needs of both the local government and the public. Specifically, the Indianapolis City-County Council urges the Congress, the administration and the Federal Communications Commission to support legislation and rulemaking in the following areas:

1. Local government has the right to control the use of its public rights-of-way which cannot be used without permission of the responsible local government authority;
2. In order to use the public rights-of-way, a private telecommunications company, including a telephone company, must register with local government and enter into agreements with local government which sets the terms and conditions of such use/access;
3. Local governments must be paid compensation for the commercial use of a right-of-way by a telecommunications provider;
4. Local governments should have control over allocation of the rights-of-way and be able to ensure that transportation is not disrupted nor the useful life of the rights-of-way diminished;
5. Local governments shall have the right to analyze the legal, financial and technical qualifications of any telecommunications provider wanting to use the public rights-of-way and shall have the right not to authorize an unqualified applicant to use the public rights-of-way;

6. Companies wishing to provide telecommunications or video services must be subject to safeguards to protect consumers against cross subsidies;
7. Local governments have the right to review mergers and acquisitions when such activity might result in the reduction of competition in the marketplace;
8. Local governments may require universal service which includes nondiscriminatory pricing and equal access to all its citizens as a requirement for authorizing the use of their public rights-of-way;
9. The Council encourages federal and state governments to develop policy which will support telecommunication providers in assisting local governments in developing telecommunication capabilities;
10. Public, education or governmental access facilities serving the local community shall be a requirement that must be imposed on telecommunication providers;
11. The information superhighway must include the delivery of services and connection of major public facilities, such as schools, libraries, hospitals, and other government facilities; and
12. A framework must be set forth for the protection of confidential information.

SECTION 2. The Indianapolis City-County Council directs that a copy of this Special Resolution be distributed to Indiana's United States Senators, to all United States Representatives representing Marion County, to the Chairman of the Federal Communications Commission, to the President of the United States, to all State Senators and Representatives representing Marion County, to the Chairman of the Indiana Utility Regulatory Commission, and to the Governor.

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. 664, 1996 was retitled SPECIAL RESOLUTION NO. 67, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 1996

A SPECIAL RESOLUTION regarding local government's authority over the public rights-of-way.

WHEREAS, local governments play a major role in the nation's telecommunications system and often are the major user and consumer of telecommunications services in a community; and

WHEREAS, local governments own substantial amounts of public rights-of-way which many telecommunication providers want to use extensively to construct their own systems in this new era of telecommunications deregulation and accelerated competition; and

WHEREAS, local governments support competition among telecommunications providers and see expanding systems as one of the keys to a successful economic development policy for local governments; and

WHEREAS, local government officials, however, must retain their authority as trustees of public property, as protectors of public safety and welfare, and as deliverers of services, and generally oppose federal preemption of their traditional powers in these areas; 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 asks the federal and state governments to recognize the authority of local governments to manage the public rights-of-way and the right of local governments to require fair and reasonable compensation from telecommunications providers for use of the public rights-of-way on a nondiscriminatory basis.

October 28, 1996

SECTION 2. The Indianapolis City-County Council directs that a copy of this Special Resolution be distributed to Indiana's United State Senators, to all United States Representatives representing Marion County, to the President of the United States, to all State Senators and Representatives representing Marion County, to the Chairman of the Indiana Utility Regulatory Commission, and to the Governor.

SECTION 3. The Mayor is invited to join 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. 665, 1996 was retitled SPECIAL RESOLUTION NO. 68, 1996, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 1996

A SPECIAL RESOLUTION regarding cellular and satellite antenna zoning preemption.

WHEREAS, the Federal Communications Commission (FCC) granted a narrow preemption of local zoning authority for the regulation of satellite antennas to the satellite broadcast industry in 1986; and

WHEREAS, in 1994, the Indiana General Assembly enacted legislation adopting the FCC's narrow preemption of local zoning authority for the regulation of satellite antennas, and in addition, prohibiting local zoning ordinances which prevent the installation of a satellite receiver antenna that is not more than two (2) feet in diameter; and

WHEREAS, the Telecommunications Act of 1996 (1996 Act) conferred exclusive authority on the FCC to regulate "direct to home" satellite services, and directed the FCC to adopt rules prohibiting restrictions that impair a viewer's ability "to receive video programming services over the air," but did not otherwise extend the FCC's authority over satellite dish antennas or cellular towers; and

WHEREAS, on February 29, 1996, the FCC broadened the preemption of local zoning authority beyond the 1996 Act (and beyond the 1994 legislation enacted by the Indiana General Assembly) at the request of the satellite broadcast industry because of the advent of the direct broadcast satellite technology and problems it has faced with state court decisions; and

WHEREAS, the cellular phone industry may seek a preemption of local zoning authority from the FCC, the Congress or the courts in order to facilitate the siting and construction of an estimated 80,000 new antennas by the year 2000; and

WHEREAS, the National Association of Counties' policy has historically opposed federal preemption unless there is an overriding national interest; and

WHEREAS, zoning authority has traditionally been reserved for local governments; 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 joins with National Association of Counties in opposing any further broadening of the zoning preemption for the satellite industry and in seeking a reconsideration of the new FCC satellite preemption rule.

SECTION 2. The Indianapolis City-County Council seeks the repeal by Congress of any provision in the 1996 Telecommunications Act which would preempt local authority over the placement of satellite dishes.

SECTION 3. The Indianapolis City-County Council opposes any further preemption for land based wireless communications if such action is considered by the Congress, the FCC, the Indiana General Assembly, or other governmental body.

SECTION 4. The Indianapolis City-County Council directs that a copy of this Special Resolution be distributed to Indiana's United States Senators, to all United States Representatives representing Marion County, to the Chairman of the Federal Communications Commission, to the President of the United States, to all State Senators and Representatives representing Marion County, and to the Governor.

SECTION 5. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

Councillor O'Dell, Acting Chairman in the absence of Councillor Gilmer, reported that the Capital Asset Management Committee heard Proposal Nos. 540, and 666-675, 1996 on October 23, 1996.

PROPOSAL NO. 540, 1996. The proposal, sponsored by Councillor Moriarty Adams, authorizes a weight limit restriction on Brookville Road from Bradley Street to Emerson Avenue (District 13). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor O'Dell moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 540, 1996, as amended, was adopted on the following roll call vote; viz:

22 YEAS: Boyd, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams

0 NAYS:

3 NOT VOTING: Black, Bradford, Gray

4 ABSENT: Borst, Gilmer, Moores, Smith

Proposal No. 540, 1996, as amended, was retitled GENERAL ORDINANCE NO. 162, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 162, 1996

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

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. 29-224, Trucks on certain streets restricted, be, and the same is hereby, amended by the addition of the following, to wit:

11,000 POUNDS GROSS

Brookville Road, from
Bradley Street to Emerson Avenue

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

Councillor O'Dell asked for consent to vote on Proposal Nos. 666-672, 1996 together. Consent was given.

PROPOSAL NO. 666, 1996. The proposal, sponsored by Councillor SerVaas, authorizes multi-way stops for Arden Drive and Pennsylvania Street, and for Arden Drive and Central Avenue (Districts 2, 7). PROPOSAL NO. 667, 1996. The proposal, sponsored by Councillor Gray, authorizes a multi-way stop for 55th Street and Alton Avenue (Districts 2, 9). PROPOSAL NO. 668, 1996. The proposal, sponsored by Councillor Coughenour, authorizes a multi-way stop for

Country Walk Circle/Country Walk Drive and Wild Ivy Drive (District 24). PROPOSAL NO. 669, 1996. The proposal, sponsored by Councillor Golc, authorizes a multi-way stop at Market Street and Vine Street (District 17). PROPOSAL NO. 670, 1996. The proposal, sponsored by Councillor Hinkle, authorizes a multi-way stop at Fullerton Drive and Thousand Oaks Drive (District 18). PROPOSAL NO. 671, 1996. The proposal, sponsored by Councillor Hinkle, authorizes a multi-way stop at Arbor Woods Drive and Bower Drive (District 18). PROPOSAL NO. 672, 1996. The proposal, sponsored by Councillor Short, authorizes a multi-way stop at Laurel Street and Spann Avenue (District 21). By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor O'Dell moved, seconded by Councillor Hinkle, for adoption. Proposal Nos. 666-672, 1996 were adopted on the following roll call vote; viz:

23 YEAS: Black, Boyd, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams
 0 NAYS:
 2 NOT VOTING: Bradford, Gray
 4 ABSENT: Borst, Gilmer, Moores, Smith

Proposal No. 666, 1996 was retitled GENERAL ORDINANCE NO. 163, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 163, 1996

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>
11	Arden Dr, Central Av	Arden Dr	Stop
11	Arden Dr, Pennsylvania St	Arden Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
11	Arden Dr, Central Av	None	All Way Stop
11	Arden Dr, Pennsylvania 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. 667, 1996 was retitled GENERAL ORDINANCE NO. 164, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 164, 1996

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	55th St, Alton Av	Alton 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>
10	55th St, Alton Av	None	All Way Stop

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

Proposal No. 668, 1996 was retitled GENERAL ORDINANCE NO. 165, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 165, 1996

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>
47	Country Walk Cir, Country Walk Dr, Wild Ivy Dr	Wild Ivy Dr	Stop

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

October 28, 1996

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47	Country Walk Cir, Country Walk Dr, Wild Ivy Dr	None	All Way Stop

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

Proposal No. 669, 1996 was retitled GENERAL ORDINANCE NO. 166, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 166, 1996

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>
23	Market St, Vine St	Vine 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:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
23	Market St, Vine 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. 670, 1996 was retitled GENERAL ORDINANCE NO. 167, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 167, 1996

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>
22	Fullerton Dr, Thousand Oaks Dr	Fullerton Dr	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
22	Fullerton Dr, Thousand Oaks Dr	None	All Way Stop

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

Proposal No. 671, 1996 was retitled GENERAL ORDINANCE NO. 168, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 168, 1996

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>
22	Arbor Woods Dr, Bower Dr	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. 672, 1996 was retitled GENERAL ORDINANCE NO. 169, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 169, 1996

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>
32	Laurel St, Spann Av	Spann 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:

October 28, 1996

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Laurel St, Spann Av	None	All Way Stop

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

PROPOSAL NO. 673, 1996. The proposal, sponsored by Councillor Brents, authorizes parking restrictions on both sides of New Jersey Street between Merrill Street and the first alley north of Henry Street (District 16). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Brents, for adoption. Proposal No. 673, 1996 was adopted on the following roll call vote; viz:

22 YEAS: Black, Boyd, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, Shambaugh, Short, Talley, Tilford, Williams

0 NAYS:

3 NOT VOTING: Bradford, Gray, SerVaas

4 ABSENT: Borst, Gilmer, Moores, Smith

Proposal No. 673, 1996 was retitled GENERAL ORDINANCE NO. 170, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 170, 1996

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

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

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

New Jersey Street, on both sides.
from Merrill Street to the first alley north of Henry Street

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

PROPOSAL NO. 674, 1996. The proposal, sponsored by Councillor Gilmer, authorizes a decrease in speed limit from 40 mph to 35 mph on Rodebaugh Road between 62nd Street and 71st Street (District 1). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Hinkle, for adoption. Proposal No. 674, 1996 was adopted on the following roll call vote; viz:

24 YEAS: Black, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams

0 NAYS:

1 NOT VOTING: Gray

4 ABSENT: Borst, Gilmer, Moores, Smith

Proposal No. 674, 1996 was retitled GENERAL ORDINANCE NO. 171, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 171, 1996

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 deletion of the following, to wit:

40 MPH

Rodebaugh Road, from
Sixty-second Street to Seventy-first Street

SECTION 2. 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

Rodebaugh Road, from
Sixty-second Street to Seventy-first Street

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

PROPOSAL NO. 675, 1996. The proposal, sponsored by Councillor Borst, authorizes a weight limit restriction on Epler Avenue from Concord Street to Warman Avenue (District 25). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor O'Dell moved, seconded by Councillor Bradford, for adoption. Proposal No. 675, 1996 was adopted on the following roll call vote; viz:

24 YEAS: Black, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Golc, Hinkle, Jones, Massie, McClamroch, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Talley, Tilford, Williams

0 NAYS:

1 NOT VOTING: Gray

4 ABSENT: Borst, Gilmer, Moores, Smith

Proposal No. 675, 1996 was retitled GENERAL ORDINANCE NO. 172, 1996, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 172, 1996

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Sec. 29-224, Trucks on certain streets restricted.

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

October 28, 1996

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Sec. 29-224, Trucks on certain streets restricted, be, and the same is hereby, amended by the addition of the following, to wit:

11,000 POUNDS

Epler Avenue, from Concord Street
to 300 feet East of Warman Avenue

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

NEW BUSINESS

Councillor Talley stated for the record that he felt he deserved an apology from Mayor Steve Goldsmith regarding a statement he had made concerning Councillor Talley's misuse of his position. He added that he felt proposals introduced by Democratic Council members did not get the same attention from committee chairmen as proposals introduced by Republican Council members.

The President asked Councillor Dowden if any further thought had been given to the scheduling of a hearing on Proposal No. 658, 1996. Councillor Dowden stated that Proposal No. 658, 1996 would not be heard until the investigations by the grand jury and internal affairs had been completed. Councillor Boyd stated that he would decide if a separate hearing should take place as previously scheduled. He added that he felt the Council process was being destroyed and proposals should be heard in a more timely manner.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillors Boyd, Black, Gray, and Jones in memory of Lawson Beatty; and
- (2) Councillors Boyd and Gray in memory of Dorothy Oakley; and
- (3) Councillors Boyd and Jones in memory of Anna Mae Elizabeth Holland Parnell; and
- (4) Councillor Boyd in memory of Bennie D. Rogers and Earl H. Van Horn

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Lawson Beatty, Dorothy Oakley, Anna Mae Elizabeth Holland Parnell, Bennie D. Rogers, and Earl H. Van Horn. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:10 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-

Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 28th day of October, 1996.

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

Beert Serwaas

President

ATTEST:

Sullen Hart

Clerk of the Council

(SEAL)