

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

**REGULAR MEETINGS
MONDAY, APRIL 28, 1997**

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 7:11 p.m. on Monday, April 28, 1997, with Councillor SerVaas presiding.

Councillor Talley introduced Minister Maudine Wordlaw from the Light of the World Christian Church, who led the opening prayer. He 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:

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Smith introduced his parents, Robert and Betty Smith, and his daughter Rachel. Councillor Franklin recognized former Councillor David Brooks. Councillor O'Dell recognized Sheriff Jack Cottey. Councillor Black recognized Aaron Haith, the Democrat Caucus' recommendation for Minority Counsel.

OFFICIAL COMMUNICATIONS

A. The Honorable Stephen Goldsmith

Mayor Goldsmith stated that the administration is looking for ways to fund three issues the City is facing: 1) Convention Center expansion, 2) New Basketball Arena, and 3) RCA Dome remodeling. He stated that Proposal Nos. 276-278, 1997 being introduced this evening will help to fund the Convention Center expansion. The tax increases contained in these proposals will predominately affect out-of-town visitors using the various facilities of the City, and are still moderate compared to other major cities' tax rates.

The President called on Councillor Borst, the Council appointee to the Capital Improvements Board, to share his position as sponsor of these proposals.

Councillor Borst stated that the three reasons he agreed to sponsor these proposals are:

1. The Convention Center is 94% booked and is a \$1.6 million industry. There is a great need for an expansion.
2. A challenge was made to the Mayor to come up with economic solutions to fund other prominent issues, and he has done so with Plan 2000.
3. Eighty-five to 95% of the people paying these hotel and rental car taxes are from out of the County or State.

Councillor Borst stated that he supports these proposals, and feels they are a big step for the good of the community.

Councillor Smith stated that Jim Snyder, Special Counsel to the Mayor, had met with small groups to answer questions regarding the Mayor's funding plans. He asked if Mr. Snyder could make a page summary of the questions and answers included in these discussions available to Council members. Mr. Snyder agreed to do so within the week.

B. Recommendation of the Rules and Public Policy Committee on appointment of assistant attorney.

Councillor Curry stated that no legal problem was discovered for Aaron Haith to serve as both Assistant Attorney and as a member of the Indianapolis Public Housing Board. He moved, seconded by Councillor Talley, to approve the appointment of Aaron Haith as Assistant Attorney for the Council. The motion passed by a unanimous voice vote.

Councillor Boyd introduced Mr. Haith. Mr. Haith thanked the Council for the appointment and stated that he will strive to do a good job.

C. Clerk of the Council

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

April 28, 1997

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, April 28, 1997, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

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

April 15, 1997

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, April 16, 1997, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, April 17, 1997, a copy of a Notice of Public Hearing on Proposal Nos. 215, 219, and 220-225, 1997, said hearing to be held on Monday, April 28, 1997, at 7:00 p.m. in the City-County Building.

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

April 18, 1997

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. 27, 1997 - approves an increase of \$75,729 in the Marion County Superior Court's 1997 Budget (County General Fund) to pay 1996 rent that was not billed until 1997 appropriated from the fund balance

FISCAL ORDINANCE NO. 28, 1997 - approves an increase of \$64,300 in the Prosecuting Attorney's 1997 Budget (State and Federal Grants Fund) to purchase equipment for the Marion County Centers of Hope at Wishard and St. Vincent's Hospitals funded by a grant from the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 29, 1997 - approves a transfer of \$233,456 in the Public Defender Agency 1997 Budget (County General Fund) to cover new positions, buyout expenses, sentencing grant match, salary adjustments, and paralegal positions

GENERAL ORDINANCE NO. 43, 1997 - provides for the inclusion of the City of Indianapolis as a member of the Historic Railroad Multi-jurisdictional Port Authority

GENERAL ORDINANCE NO. 44, 1997 - amends the Rules of the Council with respect to rezoning procedures

GENERAL ORDINANCE NO. 49, 1997 - amends the Revised Code concerning the cable communications agency

GENERAL ORDINANCE NO. 50, 1997 - amends the Code concerning the Marion County Justice Agency Board

GENERAL ORDINANCE NO. 51, 1997 - authorizes intersection controls for Windstar Subdivision, Section 1 (District 5)

GENERAL ORDINANCE NO. 52, 1997 - authorizes intersection controls for Mallard Lake Subdivision (District 11)

GENERAL ORDINANCE NO. 53, 1997 - authorizes a multi-way stop at 43rd Street and LaSalle Street (District 11)

GENERAL ORDINANCE NO. 54, 1997 - authorizes a multi-way stop at Griffin Road and Singleton Street (District 20)

GENERAL ORDINANCE NO. 55, 1997 - authorizes a multi-way stop at Franklin Road and Raymond Street (District 13)

GENERAL ORDINANCE NO. 56, 1997 - authorizes a stop sign for Birchcrest Drive at Emory Lane (District 18)

GENERAL ORDINANCE NO. 57, 1997 - authorizes parking restrictions for Warren Woods Subdivision (District 5)

SPECIAL RESOLUTION NO. 20, 1997 - recognizes Butler University and its winning 1996-97 basketball team

SPECIAL RESOLUTION NO. 21, 1997 - supports Judge James Payne's handling of the Castleton Square Mall anti-fur protesters

SPECIAL RESOLUTION NO. 22, 1997 - congratulates Mt. Zion Apostolic Church

SPECIAL RESOLUTION NO. 23, 1997 - thanking the 2,300 volunteers of the 1997 NCAA Final Four Tournament

SPECIAL RESOLUTION NO. 24, 1997 - authorizes economic development revenue bonds in an amount not to exceed \$5,000,000 to enable Summit Place West, Inc. to proceed with the construction and equipping of a 60-unit assisted living facility to be located in Wayne Township at 6418 Rockville Road (District 18)

SPECIAL RESOLUTION NO. 25, 1997 - authorizes the County to lease three tracts of land on the site of the former Marion County Healthcare Center for farming purposes

SPECIAL RESOLUTION NO. 26, 1997 - approves a public purpose grant in the amount of \$47,726 to Indiana University for the purpose of purchasing playback and field production equipment to be used in the operation of and programming production for the educational access cable television channels in the County

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 April 14, 1997. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 280, 1997. The proposal, sponsored by Councillor Cockrum, recognizes the 1996-97 Decatur Central boys basketball team. Councillor Cockrum read the proposal and presented representatives with copies of the document and Council pins. Coach Rick Rosebrough introduced the team members and thanked his staff and players for their dedication

and hard work. He also thanked the Council for this recognition. Councillor Cockrum moved, seconded by Councillor Hinkle, for adoption. Proposal No. 280, 1997 was adopted by a unanimous voice vote.

Proposal No. 280, 1997 was retitled SPECIAL RESOLUTION NO. 27, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1997

A SPECIAL RESOLUTION recognizing the 1996-97 Decatur Central boys basketball team.

WHEREAS, the Decatur Central High School boys basketball team won the Sectional tournament this Spring, the first ever back-to-back Sectional win in the history of the school; and

WHEREAS, this year's team was especially remarkable due to having lost all five starters from last year's team to graduation; and

WHEREAS, in this last year of one-class basketball, the Decatur Central Hawks were beaten by only three points in the Regionals by the tournament's number one ranked team, North Central; 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 Decatur Central High School Hawks boys basketball team for its first-ever consecutive Sectional win, and only its second Sectional basketball win since 1958 when Eisenhower was President.

SECTION 2. The Council specifically commends team members Lee Emmons, Sam Ward, Nate Burner, Travis Turner, Ryan Brumback, Franklin Callicott, Bryan Surber, Tyrece Butler, Jason Napier, Clint Stevens and Ryan Davidson.

SECTION 3. Also recognized are Varsity Head Coach Rick Rosebrough, Varsity Assistant Coach Doug Seagrave, Junior Varsity Coach Brian Disney, Freshmen Coach Scott Johnson, Managers Derrick Barber, Samantha Southerland and Kenny Owens, Athletic Director David Rather, Assistant Athletic Director Steve Stocker and Principal Paul Kaiser.

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. 287, 1997. The proposal, sponsored by Councillor Coughenour, recognizes the anti-drug efforts by youths in Perry Township. Councillor Coughenour read the proposal and presented representatives with copies of the document and Council pins. Sharon Wilson, Township Drug Education Student Assistance Coordinator, introduced the students from Perry Meridian, Southport, and Roncalli High Schools and congratulated them for their accomplishments. Sheriff Jack Cottey stated that the program has been a great success and that he has been challenged to expand the program County-wide. Councillor Coughenour moved, seconded by Councillor Moores, for adoption. Proposal No. 287, 1997 was adopted by a unanimous voice vote.

Proposal No. 287, 1997 was retitled SPECIAL RESOLUTION NO. 28, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 1997

A SPECIAL RESOLUTION recognizing the anti-drug efforts by youths in Perry Township

WHEREAS, the three high schools in Perry Township have launched an innovative anti-drugs, alcohol and tobacco use effort that is substantially created and run by the students themselves; and

WHEREAS, the program is an outgrowth of a student retreat at McCormick's Creek State Park, and involves an Honor Contract signed by the participating students to commit themselves to abstain from drugs, alcohol and tobacco, and to report any instance of drug abuse by other Honor Contract signers so the user can be given help in living up to the abstinence standards; and

WHEREAS, Perry Meridian school already has over 100 Honor Contract students signed up in its Falcons Against Drinking and Driving (FADD) club, and Southport and Roncalli Honor Contract clubs are now being formed; and

WHEREAS, the Honor Contract clubs are primarily run by the students, and emphasize individual maturity and accountability, as well as exhibit a positive and caring attitude in the Southside of Indianapolis: now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the schools and students of Perry Township for their innovative new Honor Contract anti-substance abuse program.

SECTION 2. The Council wishes the best of success to each Honor Contract student, and to Sharon Wilson, the Township Drug Education Student Assistance Coordinator.

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. 281, 1997. The proposal, sponsored by Councillor Smith, recognizes Indianapolis Neighborhood Resources Center President Larry Gregerson. Councillor Smith read the proposal and presented Mr. Gregerson with a copy of the document and a Council pin. Kathy Burton, Marie Beeson, and Winifred Cunningham, representatives from the Neighborhood Resources Center, thanked Mr. Gregerson for all of his efforts. Mr. Gregerson thanked the Council for this recognition. Councillor Smith moved, seconded by Councillor Hinkle, for adoption. Proposal No. 281, 1997 was adopted by a unanimous voice vote.

Proposal No. 281, 1997 was retitled SPECIAL RESOLUTION NO. 29, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1997

A SPECIAL RESOLUTION recognizing Indianapolis Neighborhood Resources Center President Larry Gregerson.

WHEREAS, Larry Gregerson has been an integral part of the formation and strengthening of neighborhood organizations in Indianapolis for more than a decade; and

WHEREAS, with roots in his own Herron Morton Place Neighborhood Association, Mr. Gregerson has led the marshaling of city and private resources to organize and train grassroots neighborhood citizens groups; and

WHEREAS, he served as President of the Board of Directors of the Indianapolis Neighborhood Resource Center for three years until January, 1997, when his job at Ameritech required so much out-of-town travel that he decided that he must reduce his activity with the Resource Center; and

April 28, 1997

WHEREAS, during Mr. Gregerson's Presidency, the Neighborhood Resource Center was able to obtain from Methodist Hospital an office building for the Center, helped form more than 50 new neighborhood organizations, developed a Leadership Academy to train neighborhood organization leaders, initiated a newsletter and website for enhanced communications, helped incorporate Community Partnership for Justice, helped neighborhood organizations apply for grants, gave neighborhood organization leaders the knowledge to fight and win zoning cases and to even influence legislation; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes the dedicated volunteer work of Indianapolis Neighborhood Resource Center President Larry Gregerson who has been instrumental in developing and strengthening citizen neighborhood associations throughout Indianapolis.

SECTION 2. The neighborhood association movement is considerably stronger today because of Mr. Gregerson's energy and leadership in mustering resources to make the Indianapolis Neighborhood Resource Center the nerve center for all the neighborhood leaders throughout the city.

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. 247, 1997. The proposal, sponsored by Councillor Gray, recognizes the Firefighters Survive Alive, Indianapolis Fire Department, Associated Builders and Contractors, Marion County Health Department's Safetyville, and Indianapolis Metropolitan Professional Firefighters Local 416. Councillor Gray read the proposal and presented representatives with copies of the document and Council pins. Indianapolis Fire Department Chief Keith Smith introduced the representatives and thanked everyone for their dedication to this project. Councillors Dowden and Williams expressed their satisfaction with the project. Councillor Gray moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 247, 1997 was adopted by a unanimous voice vote.

Proposal No. 247, 1997 was retitled SPECIAL RESOLUTION NO. 30, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1997

A SPECIAL RESOLUTION recognizing Firefighters Survive Alive, Indianapolis Fire Department, Associated Building and Contractors, Marion County Health Department's Safetyville and Indianapolis Metropolitan Professional Firefighters Local 416

WHEREAS, thanks to many generous public and private donations, and aggressive organizational work by the Indianapolis Fire Department and the Firefighters Union Local 416, the Survive Alive Village building at 748 Massachusetts Avenue was dedicated two years ago on April 28, 1995; and

WHEREAS, since that time the interactive hands-on Survive Alive Village has educated 34,000 young people, elderly and special populations about fire, life safety and injury prevention; and

WHEREAS, from the very beginning, and continuing to the present time, a special list of exemplary supporters and friends of Survive Alive would include the Indianapolis Fire Department, Associated Building and Contractors, Marion County Health Department's Safetyville and Indianapolis Metropolitan Professional Firefighters Local 416.

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

SECTION 1. The Indianapolis City-County Council recognizes the fire and life safety work by all those who are involved with the Firefighter's Survive Alive Village on Massachusetts Avenue.

SECTION 2. The Council specifically recognizes the outstanding contributions in money, skilled workers and materials by the member companies and workers of the Associated Builders and Contractors who have helped make this interactive educational and fun place become such a tremendous asset to the City of Indianapolis.

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. 282, 1997. The proposal, sponsored by Councillor Dowden, recognizes the National Day of Prayer. Councillor Dowden read the proposal and moved for its adoption. Councillor Black seconded the motion, and Proposal No. 280, 1997 was adopted by a unanimous voice vote.

Proposal No. 282, 1997 was retitled SPECIAL RESOLUTION NO. 31, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1997

A SPECIAL RESOLUTION recognizing the National Day of Prayer

WHEREAS, a National Day of Prayer was proclaimed by the Continental Congress in 1775; and

WHEREAS, in 1952, the United States Congress unanimously passed a joint resolution establishing the National Day of Prayer, and in 1988, the first Thursday in May was designated as the permanent date for this occasion; and

WHEREAS, the National Day of Prayer is an opportunity for Americans to join in united prayer to give thanks to God for our many blessings, to ask for healing of wounds endured, to request divine guidance for our leaders and to bring wholeness to this wonderful nation; and

WHEREAS, it is fitting and proper to give thanks to God by observing this day in Indianapolis, when all may acknowledge our blessings and give thanks for them, while recognizing the need for strengthening faith and moral values in each of us, in our families and in our city; 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 designates May 1, 1997, as "A Day of Prayer in Indianapolis" and urges the citizens of our city to observe the day by gathering together in prayer and meditation at places of worship, and privately as individuals.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 283, 1997. The proposal, sponsored by Councillor Curry, congratulates Castlevew Baptist Church upon its one hundredth anniversary. Councillor Curry read the proposal and presented John Peck, Chairman of the Board of Elders, and his sons, Andy and Stephen, with a copy of the document and Council pins. Mr. Peck thanked the Council for this recognition. Councillor Curry moved, seconded by Councillor Cockrum, for adoption. Proposal No. 283, 1997 was adopted by a unanimous voice vote.

Proposal No. 283, 1997 was retitled SPECIAL RESOLUTION NO. 32, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1997

A SPECIAL RESOLUTION congratulating Castleview Baptist Church upon its one hundredth anniversary.

WHEREAS, one hundred years ago in 1897 a tiny fellowship of fourteen people walked and rode their buggies to a rented storeroom at the corner of 27th and Clifton Streets; and

WHEREAS, on that day a "mission station" was formed which was the genesis of what is now Castleview Baptist Church; and

WHEREAS, through three different names and three different locations in Indianapolis Castleview Baptist Church has continued its mission of glorifying God, tending to the needs of the congregation, and reaching out to others; and

WHEREAS, today this great congregation pauses to reflect upon its past, and to contemplate about the future; 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 members, pastors, and friends of Castleview Baptist Church for reaching its milestone one hundred years of serving the Lord, offering a helping hand of friendship and prayers when it was needed, shedding the sympathetic tear, joining in happy celebrations, and holding fast to that which is good.

SECTION 2. The Council, in behalf of the people of Indianapolis, extends its best wishes to Castleview Baptist, and hopes that this centennial celebration serves as a proper foundation for a second century of Biblical based witness both within these walls, and outside this fine Church to the greater community.

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

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

Councillor McClamroch asked for consent to vote on Proposal Nos. 93, 99, 140, 143, 171, 266, and 286, 1997 together. Consent was given. Councillor McClamroch stated that all proposals passed out of committee with unanimous votes.

PROPOSAL NO. 93, 1997. The proposal, sponsored by Councillor McClamroch, reappoints Diana Wilson Hall to the Board of Parks and Recreation. PROPOSAL NO. 99, 1997. The proposal, sponsored by Councillor McClamroch, appoints Esperanza Zendejas to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 140, 1997. The proposal, sponsored by Councillor Shambaugh, approves the Mayor's appointment of Raymond D. Wallace as Director of the Department of Parks and Recreation. PROPOSAL NO. 143, 1997. The proposal, sponsored by Councillor McClamroch, appoints Eugene Hendricks to the Board of Parks and Recreation. PROPOSAL NO. 171, 1997. The proposal, sponsored by Councillor Williams, appoints Susan J. Powers to the Indianapolis City-Market Corporation Board. PROPOSAL NO. 266, 1997. The proposal, sponsored by Councillor Williams, appoints Stephen R. Nielsen to the Board of Public Works. PROPOSAL NO. 286, 1997. The proposal, sponsored by Councillor McClamroch, appoints J. Michael Purcell to the Common Construction Wage Committee for Franklin Township.

Councillor Golc asked if Proposal No. 140, 1997 could be voted on separately due to some issues he had regarding the appointment. He stated that he is changing his committee vote to a "Nay" due to a recent letter he received from Ray Wallace, Parks Department Director, listing initiatives of the department. He added that he is opposed to the Parks Department's direction for the future of community centers.

Councillor Shambaugh stated that Councillor Golc had raised the same issues in the meeting where Mr. Wallace's appointment was discussed. He added that Mr. Wallace had addressed all of Councillor Golc's questions and comments at that time, and Councillor Golc seemed to be satisfied.

Councillors Smith, Coonrod, Talley, and O'Dell voiced their support of Proposal No. 140, 1997, and expressed their confidence in Mr. Wallace as Director of the Parks Department.

Councillor Short moved, seconded by Councillor Moores, for adoption of Proposal No. 140, 1997. Proposal No. 140, 1997 was adopted by the following roll call vote; viz:

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

Proposal No. 140, 1997 was retitled COUNCIL RESOLUTION NO. 41, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 1997

A COUNCIL RESOLUTION approving the Mayor's appointment of Raymond D. Wallace as Director of the Department of Parks and Recreation for a term ending December 31, 1997.

WHEREAS, pursuant to IC 36-3-3-8 and Section 201-4 of the "Revised Code of the Consolidated City and County, Indiana", a mayoral appointment of the Director of the Department of Parks and Recreation is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Raymond D. Wallace to serve as Director of the Department of Parks and Recreation at his pleasure for a term ending December 31, 1997; now, therefore:

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

SECTION 1. Raymond D. Wallace is approved and confirmed by the City-County Council to serve as Director of the Department of Parks and Recreation at the pleasure of the Mayor for a term ending December 31, 1997.

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

Councillor McClamroch moved the adoption of Proposal Nos. 93, 99, 143, 171, 266, and 286, 1997. Councillor Moores seconded the motion, and Proposal Nos. 93, 99, 143, 171, 266, and 286, 1997 were adopted by a unanimous voice vote.

Proposal No. 93, 1997 was retitled COUNCIL RESOLUTION NO. 42, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 1997

A COUNCIL RESOLUTION reappointing Diana Wilson Hall to the Board of Parks and Recreation.

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

SECTION 1. As a member of the Board of Parks and Recreation, the Council appoints:

Diana Wilson Hall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 99, 1997 was retitled COUNCIL RESOLUTION NO. 43, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 1997

A COUNCIL RESOLUTION appointing Esperanza Zendejas to the Marion County Community Corrections Advisory Board.

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

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Esperanza Zendejas

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2000. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 143, 1997 was retitled COUNCIL RESOLUTION NO. 44, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 1997

A COUNCIL RESOLUTION appointing Eugene Hendricks to the Board of Parks and Recreation.

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

SECTION 1. As a member of the of Parks and Recreation Board, the Council appoints:

Eugene Hendricks

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 171, 1997 was retitled COUNCIL RESOLUTION NO. 45, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 1997

A COUNCIL RESOLUTION appointing Susan J. Powers to the Indianapolis City-Market Corporation Board.

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

SECTION 1. As a member of the Indianapolis City-Market Corporation Board, the Council appoints:

Susan J. Powers

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1998. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 266, 1997 was retitled COUNCIL RESOLUTION NO. 46, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 46, 1997

A COUNCIL RESOLUTION appoints Stephen R. Nielsen to the Board of Public Works.

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

SECTION 1. As a member of the Board of Public Works, the Council appoints:

Stephen R. Nielsen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1997. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 286, 1997 was retitled COUNCIL RESOLUTION NO. 47, 1997, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 1997

A COUNCIL RESOLUTION appoints J. Michael Purcell to the Common Construction Wage Committee for Franklin Township

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

SECTION 1. As a member of the Common Construction Wage Committee approved by Franklin Township, the Council appoints:

J. Michael Purcell

SECTION 2. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 267, 1997. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Sec. 961-303 of the Revised Code to reconcile the Controller's right to redraw vending cart districts with the vendor's right to "lock-

in" his or her assigned zone for an additional year"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 268, 1997. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a fee schedule for copies of public records made by city and county agencies and departments"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 269, 1997. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which recodifies and clarifies the provisions for dance permits and licenses, adds a requirement for general premises liability insurance, and reduces the fee for dance licenses"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 270, 1997. Introduced by Councillors Coonrod, Cockrum, O'Dell, Talley, and Tilford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which abolishes the Marion County Board of Tax Adjustment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 271, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Dr. Alan E. Handt as Director of the Department of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 272, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$96,500 in the 1997 Budgets of the County Auditor and Prosecuting Attorney (State and Federal Grants Fund) to renew the Regional Gang Interdiction Program in coordination with Johnson County funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 273, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$445,140 in the 1997 Budgets of the County Auditor and Marion County Justice Agency (State and Federal Grants Fund) to fund salaries for law enforcement officers participating in the multi-jurisdictional pursuit of illegal drug activities funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 274, 1997. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$15,514 in the 1997 Budget of the Community Corrections Agency (Home Detention User Fee Fund) to cover changes in staffing and compensation levels financed by fund balances"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 275, 1997. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which designates the flowering crabapple as the official tree of Indianapolis"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 276, 1997. Introduced by Councillors Borst and Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which imposes the county supplemental auto rental excise tax"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 277, 1997. Introduced by Councillors Borst and Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which increases the county innkeeper's tax from 5% to 6%"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 278, 1997. Introduced by Councillors Borst and Short. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which allows an expansion of the local excise tax known as the county admissions tax"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 279, 1997. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves (or rejects) the Library Capital Project Fund Plan of the Indianapolis-Marion County Public Library"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 284, 1997. Introduced by Councillors McClamroch and Dowden. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Ann Curry to the Animal Control Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 285, 1997. Introduced by Councillor McClamroch. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which prohibits the sales of admission tickets for major events in the vicinity of the event during the ten hours prior to the event"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 304, 1997. Introduced by Councillors Coonrod, Cockrum, Massie, and Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a new procedure for classifying and establishing salaries of county employees"; and the President referred it to the Administration and Finance Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 265, 1997. Councillor Borst reported that the Economic Development Committee heard Proposal No. 265, 1997 on April 17, 1997. The proposal is a special ordinance for Carter Plastics, L.L.C. authorizing the issuance of economic development revenue bonds in an amount not to exceed \$9,500,000 to be used for the acquisition, construction, and equipping of a facility to be used for the manufacturing of plastic stadium cups and plastic food packaging to be located at 2200 Turner Avenue (District 17). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Borst moved, seconded by Councillor Talley, for adoption. Proposal No. 265, 1997 was adopted on the following roll call vote; viz:

April 28, 1997

24 YEAS: *Black, Borst, Boyd, Brents, Cockrum, Coughenour, Curry, Dowden, Franklin, Gilmer, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Smith, Talley, Tilford*

0 NAYS:

5 NOT VOTING: *Bradford, Coonrod, Golc, Short, Williams*

Proposal No. 265, 1997 was retitled SPECIAL ORDINANCE NO. 4, 1997, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1997

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its \$9,500,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1997 (Carter Plastics, L.L.C. Project), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, the Act provides that an issuer may, pursuant to the Act, issue revenue bonds and lend the proceeds thereof to a corporation, partnership or individual for the purpose of financing costs of acquisition or construction of facilities, including real and personal property, for diversification of economic development and promotion of job opportunities in or near such issuer; and

WHEREAS, the Act provides that such bonds may be secured by a trust indenture between an issuer and a bondholder; and

WHEREAS, a representative of Carter Plastics, L.L.C. (the "Company") has requested that the City of Indianapolis, Indiana (the "Issuer") issue bonds and lend the proceeds thereof to the Company in order to enable the Company to undertake and complete the acquisition, construction and equipping of approximately a 25,000 square foot building on 3.1 acres of land and the acquisition of certain machinery and equipment which will be owned and operated by the Company for such use in the manufacture of stadium cups and plastic food packaging to be located at 2200 Turner, Indianapolis, Indiana (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Company and delivered a copy of such report to the Metropolitan Development Commission of Marion County; and

WHEREAS, pursuant to and in accordance with the Act, the Issuer desires to provide funds to finance the acquisition, construction and equipping of the Project by issuing its \$9,500,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1997 (Carter Plastics, L.L.C. Project) (the "Bonds"); and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on April 16, 1997 pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "code"), adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the Issuer and its citizens; and

WHEREAS, the Issuer intends to issue the Bonds pursuant to a Trust Indenture (the "Indenture") dated May 1, 1997 by and among the Issuer and _____, as Trustee (the "Trustee") in order to obtain funds to lend to the Company pursuant to a Loan Agreement (the "Loan Agreement") dated as of May 1, 1997, between the Issuer and the Company for the purpose of financing or providing reimbursement for the cost of the Project and to pay a portion of the costs of issuance of the Bonds; and

WHEREAS, the Loan Agreement provides for the repayment by the Company of the loan of the proceeds of the Bonds pursuant to which the Company will agree to make payments sufficient to pay the principal and interest on the Bonds as the same become due and payable and to pay administrative expenses in connection with the Bonds; and

WHEREAS, the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the substantially final forms of the Loan Agreement, Indenture, Bond Purchase Agreement, Preliminary Official Statement and the forms of the Bonds (hereinafter referred to collectively as the "Financing Documents") and this proposed form of special ordinance by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Company for the purposes of financing or providing reimbursement for a portion of the cost of the Project, and the repayment of said loan by the Company will be of benefit to the health or general welfare of the Issuer and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The form of the Financing Documents presented herewith are hereby approved and such documents shall be kept on file by the Clerk of the Council or City Controller. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Issuer shall issue its Bonds in the aggregate principal amount not to exceed \$9,500,000 for the purpose of procuring funds to loan to the Company in order to finance or provide reimbursement for a portion of the costs of the Project, which Bonds will be payable as to principal and interest solely from the payments made by the Company pursuant to the Loan Agreement to evidence and secure said loan and as otherwise provided in the above-described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the Issuer.

SECTION 4. Rule 15c2-12(b)(1) of the Securities Exchange Act of 1934, as amended (the "SEC Rule"), provides that, prior to the time a participating underwriter or placement agent bids for, purchases, offers or sells municipal securities, the participating underwriter or placement agent shall obtain and review an official statement that an issuer of such securities deems a "near final" official statement. The Preliminary Official Statement is hereby deemed final as of its date, except for the omission of no more than the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, ratings and other terms of the securities depending on such matters. The Mayor, the City Clerk or any other officer of the Issuer familiar with the matters with respect to the Issuer set forth in the Preliminary Official Statement is hereby authorized to certify to Evern Securities, Inc. (the "Underwriter") that the information in the Preliminary Official Statement with respect to the Issuer is deemed to be final within the meaning of the SEC Rule prior to the distribution of the Preliminary Official Statement.

SECTION 5. The City Clerk and City Controller are authorized and directed to sell such Bonds to the purchasers thereof at a price not less than 97% of the aggregate principal amount thereof, plus accrued interest, if any, and at a rate of interest not to exceed 10% percent per annum. The use of a Final Official Statement in substantially the same form as the Preliminary Official Statement approved herein is approved for use and distribution by the Underwriter and its agents in connection with the marketing of the Bonds.

SECTION 6. The Mayor and City Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and City Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the Issuer. The signatures of the Mayor and the City Clerk on the Bonds may be facsimile signatures. The City Clerk and City Controller are authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the

Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 7. The provisions of this special ordinance and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, this special ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This special ordinance shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 288-303, 1997. Introduced by Councillor Hinkle. Proposal Nos. 288-303, 1997 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 23, 1997. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 69-84, 1997, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 69, 1997.

97-Z-21

4930 NORTH PENNSYLVANIA STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 6

ERNEST M. KOBETS, by Joseph M. Scimia, requests a rezoning of 0.722 acre, being in the D-2 District, to the C-3C classification to provide for the development of a neighborhood retail center.

REZONING ORDINANCE NO. 70, 1997.

97-Z-30

6001-6251 SOUTH HIGH SCHOOL ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19

DONALD LAMBERT, by Joseph M. Scimia, requests a rezoning of 69.46 acres, being in the D-A District, to the D-3 classification to provide for low to medium intensity single-family residential development.

REZONING ORDINANCE NO. 71, 1997.

97-Z-47

7119 SUNNYSIDE ROAD (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

JOHN A. and AGNES JEAN WADDY, by Philip C. Thrasher, request a rezoning of 28.6781 acres, being in the D-A District, to the D-2 classification to provide for residential development including a 40-lot residential subdivision development.

REZONING ORDINANCE NO. 72, 1997.

97-Z-37

3301 PRAGUE ROAD (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24

ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC., by James L. Tuohy, requests a rezoning of 6.34 acres, being in the D-A District, to the SU-2 classification to provide for school and accessory school-related uses, such as, athletic fields and tennis courts.

REZONING ORDINANCE NO. 73, 1997.

97-Z-40

3225 SOUTH SHELBY STREET (approximate address), INDIANAPOLIS.

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20

BETTIE KEENAN request a rezoning of 0.62 acre, being in the C-2 District, to the C-S classification to provide for:

1. all permitted C-3C uses
2. home remodeling office, with inside storage of unused materials from job-sites; and
3. antique furniture refinishing.

REZONING ORDINANCE NO. 74, 1997.

97-Z-46

445 NORTH STATE STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.21 acre, being in the D-8 District, to the SU-1 classification for religious uses and to conform zoning to the existing religious use.

REZONING ORDINANCE NO. 75, 1997.

97-Z-50

125 SOUTH MUESSING ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13

BUCK CREEK BAPTIST CHURCH requests a rezoning of 7.849 acres, being in the D-A District, to the SU-1 classification to provide for the construction of a church and associated religious uses.

REZONING ORDINANCE NO. 76, 1997.

97-Z-58

4404-4408 EAST 21st STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 10

RONALD & PEGGY MARKS requests a rezoning of 2.27 acres, being in the C-3 and D-5 Districts, to the D-5 classification to provide for residential development.

REZONING ORDINANCE NO. 77, 1997.

97-Z-60

1205 SOUTH LYNHURST DRIVE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17

EMRO MARKETING CO., by Philip Nicely, requests a rezoning of 0.74 acre, being in the C-4 and D-3 Districts, to the C-4 classification to provide for community-regional commercial uses.

REZONING ORDINANCE NO. 78, 1997.

97-Z-62 (Corrected)

2295 NORTH SHADELAND AVENUE (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 12

SUN DEVELOPMENT & MANAGEMENT CORP., by Mary Solada, requests a rezoning of 2.883 acres, being in the I-3-S District, to the C-S classification to provide for a residential hotel and a restaurant.

REZONING ORDINANCE NO. 79, 1997.

97-Z-64

11350 EAST 38TH STREET (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

FOUNDERS DEVELOPMENT, INC., by The Zoning Professionals, Inc. requests a rezoning of 40.167 acres, being in the D-A(FF) District, to the D-5II(FF) classification to provide for single-family and two-family residential development.

REZONING ORDINANCE NO. 80, 1997.

97-Z-65

801 SOUTH KITLEY AVENUE (rear) (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13

CHECKERED FLAG ENTERPRISES, by Staphen D. Mears, requests a rezoning of 0.54 acre, being in the SU-28 District, to the C-S classification to provide for overflow parking for the Indianapolis Speedrome.

REZONING ORDINANCE NO. 81, 1997.

97-Z-66

7501 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

ASPEN CAPITAL CORPORATION, by Thomas Michael Quinn, requests a rezoning of 20.01 acres, being in the C-S District, to the C-S classification to provide for health and recreational uses, child care, convalescent care, assisted living and dependent care facilities, offices, veterinarian facilities and hotels.

REZONING ORDINANCE NO. 82, 1997.

97-Z-72

4850 MARTHA STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 17

AIRPORT CONGREGATION OF JEHOVAH'S WITNESSES, by Jeffrey Scripture, requests a rezoning of 3.018 acres, being in the SU-7 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 83, 1997.

97-CP-11Z

8325 SOUTH EMERSON AVENUE (approximate address), INDIANAPOLIS.

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 23

J. GREG ALLEN & ASSOCIATES, INC., by Robert T. Wildman, requests a rezoning of 1.20 acres, being in the D-A District, to the HD-II classification to provide for hospital-related uses including offices.

REZONING ORDINANCE NO. 84, 1997.

97-CP-12Z

923 EAST 16th STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

OLD NORTHSIDE FOUNDATION requests a rezoning of 16.1 acres to the PK-1 classification to provide for park uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 252, 1997. Councillor O'Dell reported that Proposal No. 252, 1997 had been called out for public hearing on April 14, 1997. The proposal proposes the rezoning of 148 acres at 6202 Southeastern Avenue, being in the D-A District, to the C-S classification to provide for the development of a mixed use development (Councilmanic District 13) (96-Z-227) (Amended).

Councillor O'Dell made the following motion:

Mr. President:

I am happy to report that the petitioners and remonstrators have reached a compromise on Proposal No. 252, 1997 (96-Z-227) and pursuant to the rules, I now move for the vote on Proposal No. 252, 1997, as modified by the additional commitments, without further public hearing.

The President stated that constituent Ann Meyer had asked for the public hearing to continue as scheduled. He asked Ms. Meyer to present her reasons for continuing the public hearing.

Ms. Meyer stated that she had not been in the meeting between the petitioners and remonstrators where a compromise was reached and that her concerns had still not been heard. She stated that the zoning case had been denied a continuance by the zoning board, and that public input has not been taken into consideration because the zoning hearing took place during spring break when families had already scheduled vacations.

Councillor O'Dell stated that Ms. Meyer had been asked to attend the preliminary hearing, but that she had refused. He added that a continuance had already been granted by the zoning board which is the reason the hearing was rescheduled during the spring break time frame.

The President called for a vote on whether or not to forego a public hearing in light of Ms. Meyer's testimony. A public hearing was foregone based on the following roll call vote; viz:

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

Councillor Smith seconded Councillor O'Dell's motion to adopt Proposal No. 252, 1997. Proposal No. 252, 1997 was adopted on the following roll call vote; viz:

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

Pursuant to IC 36-7-4-608, Proposal No. 252, 1997 took effect as if adopted by the City-County Council, and was retitled for identification as REZONING ORDINANCE NO. 85, 1997, the original copy of which is on file with the Metropolitan Development Commission, which was certified as follows:

REZONING ORDINANCE NO. 85, 1997.
96-Z-227 (Amended)
6202 SOUTHEASTERN AVENUE (approximate address), INDIANAPOLIS.
WARREN TOWNSHIP, COUNCILMANIC DISTRICT #13
MIGO DEVELOPMENT COMPANY, INC., by Thomas Michael Quinn, requests a rezoning of 148 acres, being in the D-A District, to the C-S classification to provide for the development of a mixed use development consisting of 43 acres devoted to multi-family residential development at approximately 8 units per acre, approximately 21 acres devoted to an assisted living community and approximately 84 acres devoted to regional and highway-oriented commercial development.

SPECIAL ORDERS - FINAL ADOPTION

Councillor Dowden asked for consent to move Proposal No. 113, 1997 next on the agenda due to the late hour and the number of supporters in attendance. Consent was given.

PROPOSAL NO. 113, 1997. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 113, 1997 on February 26, March 19, and April 16, 1997. The proposal expands the prohibition of skateboards to the Downtown Mile Square, the Canal Walk Zone, and Massachusetts Avenue. Councillor Dowden stated that three public hearings have been held. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Moriarty Adams recognized downtown business representatives in attendance and stated that the proposal had unanimous support from the downtown businesses located in these areas.

Councillor Short stated that he serves on the board of Indianapolis Downtown, Inc. (IDI), and that skateboarding has been an important issue with the safety committee.

Councillor Golc asked if there were alternative skateboarding venues, possibly as a part of the Parks Department programs. Councillor Bradford stated that since skateboarding was prohibited in Broad Ripple, he is trying to work with the Parks Department and private industries to come up with an alternative venue for skateboarders.

The President asked Councillor Short to address the issue of an additional venue with the IDI board. Councillor Brents stated that another venue needs to be provided so that skateboarders have somewhere to go.

Councillor Borst stated that he has two constituents present who were not aware of the public hearings and who are opposed to the proposal. He suggested that these constituents meet with Ray Wallace, Director of the Parks Department, to share their ideas for possible alternative venues.

Councillor Williams stated that a commitment was made when passing the ordinance banning skateboarding in Broad Ripple to find an alternative venue. She said that the City has failed to live up to that commitment. Councillor Bradford agreed and stated that he is still working with City representatives to solve this issue.

Councillor Dowden moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 113, 1997, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 113, 1997, as amended, was retitled GENERAL ORDINANCE NO. 58, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 58, 1997

A GENERAL ORDINANCE amending Chapter 28 of the Code to prohibit the use of skateboards and similar play devices in the Downtown Mile Square and the Canal Walk Zone.

WHEREAS, the City has received complaints from businesses, pedestrians, and residents about the difficulty and dangers of walking on the streets, sidewalks and parking areas of the Downtown Mile Square and the Canal Walk Zone where skateboards and similar play devices are being used; and

WHEREAS, the Council has the authority under IC 36-9-2-7 to regulate the use of public ways; and

WHEREAS, the Council has the authority under IC 36-8-2-4 to regulate conduct that might endanger the public health, safety or welfare; now, therefore:

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

SECTION 1. Chapter 28 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the underlined language and deleting the stricken-through language to read as follows:

Sec. 28-210. Use of toy vehicles.

(a) It shall be unlawful for any person, who is riding in or by means of a skateboard, coaster, scooter, toy vehicle or any similar play device, to park, stand or use any such vehicle or device upon any roadway, except when and where such roadway is designated as a play street, or while he is crossing a street on a crosswalk, and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

(b) It is hereby declared a public nuisance and, therefore, a violation of this Code to operate a skateboard, coaster, scooter, toy vehicle or any similar play device on the streets, sidewalks, ramps and parking areas within the territory bounded by and including:

(i) College Avenue on the west, Compton Street on the east, 62nd Street on the south, and 65th Street on the north;

(ii) North Street on the north, South Street on the south, East Street on the east, and West Street on the west ("Downtown Mile Square");

(iii) Pedestrian bridges and City right of way on either side of the canal, from the south right-of-way line of Eleventh Street to North Street, and from West Street to the White River ("Canal Walk Zone"); and

(iv) Massachusetts Avenue from the intersection of North Street and East Street to the intersection of College Avenue and Saint Clair Street.

(c) A skateboard operated in violation of this ordinance may be temporarily held to abate the nuisance.

(d) The first violation in any calendar year shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County. All second and subsequent violations in the calendar year are subject to the enforcement procedures and penalties provided in section 1-8 of the Code of Indianapolis and Marion County, Indiana.

(e) An exception to 28-210(b) exists for special events, parades, and similar activities where a right-of-way use or other applicable permit is in effect for the activity.

SECTION 2. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 191, 1997. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 191, 1997 on April 8 and 14, 1997. The proposal approves an amendment to a Lease Agreement by and between the Marion County Convention and Recreational Facilities Authority, as Lessor, and the Metropolitan Development Commission of Marion County, as Lessee. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Talley stated that he is against Proposal No. 191, 1997 because Plan 2000 only funds Police and Fire Pensions to the year 2000, and therefore does not solve the entire problem of funding.

Councillor Williams stated that the presentation by James Steele, City Controller, helped to clarify some issues, but that she still has some concerns regarding the "piece-mealing" of this funding plan. She added that she would like to consider the entire plan in one package for more continuity, instead of a proposal here and a proposal there.

Councillor Curry suggested that Councillor Talley offer Mr. Steele some suggestions and help with ideas to more fully fund the Police and Fire Pensions. Councillor Talley agreed to do so.

The President called for public testimony at 9:22 p.m. There being no one present to testify, Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 191, 1997, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 191, 1997, as amended, was retitled SPECIAL ORDINANCE NO. 5, 1997, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1997

A SPECIAL ORDINANCE approving a form of a First Amendment to Lease Agreement between the Marion County Convention and Recreational Facilities Authority, as lessor (the "Authority"), and Metropolitan Development Commission of Marion County, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), which amends the Lease Agreement, dated as of December 1, 1991, by including within the definition of Pledged Revenues ad valorem property taxes levied and collected by the Commission on all taxable property within the geographical boundaries of the Redevelopment District of the City of Indianapolis, Indiana, and authorizing the execution of such First Amendment to Lease and ratifying actions taken in connection therewith.

WHEREAS, the Marion County Convention and Recreational Facilities Authority (the "Authority") has previously issued its bonds designated as the "Marion County Convention and Recreational Facilities Authority Economic Development Lease Rental Bonds of 1991," in the original aggregate principal amount of \$139,460,042.55 (the "Authority Bonds"), issued pursuant to a Trust Indenture dated as of December 1, 1991, between the Authority and Bank One, Indianapolis, NA, as trustee, a portion of the proceeds of which were used to pay for the costs of acquiring, constructing and equipping a portion of the MOC-II Facility (as defined in the Lease Agreement, dated as of December 1, 1991 (the "Original Lease"), between the Authority, as lessor, and the Metropolitan Development Commission of Marion County, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, as lessee (the "Commission")) (the "Project"); and

WHEREAS, the debt service on the Authority Bonds are payable by the Authority primarily from the annual rentals paid by the Commission to the Authority under the Original Lease from Pledged Revenues; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"), approved the Original Lease and authorized the execution thereof and pledge the COIT Revenues, as defined in the Original Lease, to the payment of the lease rentals under the Original Lease,

all pursuant to City-County Special Ordinance No. 15, 1991, adopted by the Council on December 9, 1991 (the "1991 Ordinance"), the terms and findings of which are incorporated herein by reference; and

WHEREAS, the Commission made a preliminary determination on March 19, 1997, to amend the Original Lease to include within the definition of Pledged Revenues, as such term is used in the Original Lease, ad valorem property taxes levied and collected by the Commission on all taxable property within the geographical boundaries of the Redevelopment District of the City of Indianapolis, Indiana (the "Redevelopment District"); and

WHEREAS, there is before this Council a proposed form of amendment to lease agreement between the Authority, as lessor, and the Commission, as lessee, which amends the definition of Pledged Revenues as used in the Original Lease to include ad valorem property taxes levied and collected by the Commission on all taxable property within the geographical boundaries of the Redevelopment District, as such form was approved by the Commission in its Resolution No. 97-D- 031, adopted by the Commission on March 19, 1997 (the "First Amendment to Lease"); now, therefore:

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

SECTION 1. The Council hereby finds that the execution of the First Amendment to Lease is necessary and wise and is necessary for the Project, which Project has helped, and will continue to help, promote economic development in the Expansion Area and the Existing Area (as both of such terms are defined in the 1991 Ordinance), has provided, and will continue to provide, services that will serve a public purpose of the City and is in the best interests of the City's residents, and further confirms the findings in the 1991 Ordinance that the lease rentals provided for in the Original Lease, as amended by the First Amendment to Lease, are fair and reasonable.

SECTION 2. The Council hereby approves the execution of the First Amendment to Lease.

SECTION 3. The Council hereby finds that providing for the financing, constructing and equipping of the Project by the Authority and the leasing of that Project to the Commission is in the public interest of the citizens of the City and is a proper public purpose.

PROPOSAL NO. 215, 1997. Councillor Shambaugh reported that the Parks and Recreation Committee heard Proposal No. 215, 1997 on April 22, 1997. The proposal approves an increase of \$141,659 in the Department of Parks and Recreation's 1997 Budget (Federal and State Grant Funds) for three projects financed by federal and state grants: (1) renovations and enhancements to Krannert Pond (\$58,217), (2) erosion control along Eagle Creek Reservoir and upstream (\$46,000), and (3) improvements at Perry Park (\$37,442). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

The President called for public testimony at 9:25 p.m. There being no one present to testify, Councillor Shambaugh moved, seconded by Councillor Golc, for adoption. Proposal No. 215, 1997, as amended, was adopted on the following roll call vote; viz:

29 YEAS: *Black, Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford*
0 NAYS:

Proposal No. 215, 1997, as amended, was retitled FISCAL ORDINANCE NO. 30, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional One Hundred Forty-one Thousand Six Hundred Fifty-nine Dollars (\$141,659) in the Consolidated County Fund for purposes of the Department of Parks

and Recreation and reducing the unappropriated and unencumbered balance in the Federal Grant Fund and State Grant 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(n) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation for projects at Krannert Pond, Eagle Creek Reservoir, and Perry Park.

SECTION 2. The sum of One Hundred Forty-one Thousand Six Hundred Fifty-nine Dollars (\$141,659) 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>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANT FUND</u>
3. Other Services and Charges	<u>104,217</u>
TOTAL INCREASE	104,217

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>STATE GRANT FUND</u>
2. Supplies	15,000
3. Other Services and Charges	<u>22,442</u>
TOTAL INCREASE	37,442

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

	<u>FEDERAL GRANT FUND</u>
Unappropriated and Unencumbered Federal Grant Fund	<u>104,217</u>
TOTAL REDUCTION	104,217

	<u>STATE GRANT FUND</u>
Unappropriated and Unencumbered State Grant Fund	<u>37,442</u>
TOTAL REDUCTION	37,442

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

PROPOSAL NO. 219, 1997. The proposal approves an increase of \$4,000,000 in the Marion County Superior Court, Juvenile Division's 1997 Budget (County Construction Fund) to acquire an alternative school funded by a grant from Lilly Endowment. PROPOSAL NO. 220, 1997. The proposal approves an increase of \$2,000 in the Marion County Superior Court, Juvenile Division's 1997 Budget (State and Federal Grants Fund) to fund HIV prevention education activities for the Juvenile Detention Center funded by a grant from the Indiana Department of Education.

The President called for public testimony at 9:27 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, to postpone Proposal Nos. 219 and 220, 1997 until May 19, 1997. Proposal Nos. 219 and 220, 1997 were postponed by a unanimous voice vote.

Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 221-224, 1997 on April 16, 1997.

PROPOSAL NO. 221, 1997. The proposal approves an increase of \$62,403 in the Marion County Public Defender Agency's 1997 Budget (State and Federal Grants Fund) to continue the Pretrial Release and Sentencing Project funded by a grant from the Indiana Criminal Justice Institute. 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 9:28 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 221, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 221, 1997 was retitled FISCAL ORDINANCE NO. 31, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Sixty-two Thousand Four Hundred Three Dollars (\$62,403) in the State and Federal Grants Fund for purposes of the County Auditor and Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,u) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor and Marion County Public Defender Agency to continue the Pretrial release and Sentencing Project.

SECTION 2. The sum of Sixty-two Thousand Four Hundred Three Dollars (\$62,403) 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 AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	5,907
<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	32,250
3. Other Services and Charges	<u>24,246</u>
TOTAL INCREASE	62,403

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>62,403</u>
TOTAL REDUCTION	62,403

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

PROPOSAL NO. 222, 1997. The proposal approves an increase in the 1997 Budgets of the County Auditor, Public Defender Agency, Prosecuting Attorney, and Marion County Superior Courts (State and Federal Grants Fund) in the total amount of \$331,912 to continue funding of the expedited court project for an additional year. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:30 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 222, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 222, 1997 was retitled FISCAL ORDINANCE NO. 32, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional Three Hundred Thirty-one Thousand Nine Hundred Twelve Dollars (\$331,912) in the State and Federal Grants Fund for purposes of the County Auditor, Marion County Public Defender Agency, Prosecuting Attorney, and Marion County Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(b,u,v,cc) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Marion County Public Defender Agency, Prosecuting Attorney, and Marion County Superior Court to continue funding of the expedited court project for an additional year.

SECTION 2. The sum of additional Three Hundred Thirty-one Thousand Nine Hundred Twelve Dollars (\$331,912) 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 AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	66,382
<u>MARION COUNTY PUBLIC DEFENDER AGENCY</u>	
1. Personal Services	93,201
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	93,201
<u>MARION COUNTY SUPERIOR COURT</u>	
1. Personal Services	<u>79,128</u>
TOTAL INCREASE	331,912

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

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>331,912</u>
TOTAL REDUCTION	331,912

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

PROPOSAL NO. 223, 1997. The proposal approves a transfer in the 1997 Budgets of the County Auditor, Prosecuting Attorney, and the Justice Agency (Drug Free Community Fund) in the total amount of \$175,397 to continue funding of drug related programs for an additional year. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:31 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Smith, for adoption. Proposal No. 223, 1997 was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Bradford, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Franklin, Gilmer, Golc, Gray, Hinkle, Massie, McClamroch, Moores, Moriarty Adams, O'Dell, Schneider, SerVaas, Shambaugh, Short, Smith, Talley, Tilford, Williams*
 1 NAY: *Black*
 1 NOT VOTING: *Jones*

Proposal No. 223, 1997 was retitled FISCAL ORDINANCE NO. 33, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) transferring and appropriating an additional One Hundred Seventy-five Thousand Three Hundred Ninety-seven Dollars (\$175,397) in the Drug Free Community Fund for purposes of the County Auditor, Prosecuting Attorney, and Marion County Justice Agency and reducing certain other appropriations for the Marion County Justice Agency.

April 28, 1997

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,v,bb) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Auditor, Prosecuting Attorney, Marion County Justice Agency to continue funding of drug related programs for an additional year.

SECTION 2. The sum of One Hundred Seventy-five Thousand Three Hundred Ninety-seven Dollars (\$175,397) 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>DRUG FREE COMMUNITY FUND</u>
1. Personal Services - Fringes	27,559
<u>PROSECUTING ATTORNEY</u>	
1. Personal Services	73,440
2. Supplies	2,000
3. Other Services and Charges	10,600
<u>MARION COUNTY JUSTICE AGENCY</u>	
1. Personal Services	36,798
3. Other Services and Charges	<u>25,000</u>
TOTAL INCREASE	175,397

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

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	<u>175,397</u>
TOTAL DECREASE	175,397

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

PROPOSAL NO. 224, 1997. The proposal approves an increase of \$103,019 in the 1997 Budget of the Department of Public Safety, Emergency Management Planning Division (Federal Grants Fund) to reimburse expenses of the Urban Search & Rescue Task Force during its deployment to the 1996 Atlanta Centennial Olympic Games fully funded by Federal Emergency Management Agency Grant. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 9:33 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hinkle, for adoption. Proposal No. 224, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 224, 1997 was retitled FISCAL ORDINANCE NO. 34, 1997, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 34, 1997

A FISCAL ORDINANCE amending the City-County Annual Budget for 1997 (City-County Fiscal Ordinance No. 94, 1996) appropriating an additional One Hundred Three Thousand Nineteen Dollars (\$103,019) in the Department of Public Safety for purposes of the Emergency Management Planning Division and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (m) of the City-County Annual Budget for 1997 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department Of Public Safety, Emergency Management Planning Division, for reimbursable expenses during the 1996 Atlanta Centennial Olympic Games.

SECTION 2. The sum of One Hundred Three Thousand Nineteen Dollars (\$103,019) 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>DEPARTMENT OF PUBLIC SAFETY</u> <u>EMERGENCY MANAGEMENT PLANNING DIVISION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>103,019</u>
TOTAL INCREASE	103,019

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

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>103,019</u>
TOTAL REDUCTION	103,019

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

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

PROPOSAL NO. 225, 1997. The proposal is an increase of \$4,650,000 from the Consolidated County Fund to the United Airlines Inc. Debt Service Fund as part of the "Plan 2000" funding program.

The President called for public testimony at 9:34 p.m. There being no one present to testify Councillor Curry moved, seconded by Councillor Coonrod, to postpone Proposal No. 225, 1997 until May 19, 1997. Proposal No. 225, 1997 was postponed by a unanimous voice vote.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 105, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 105, 1997 on March 3, 1997 and again on April 21, 1997. The proposal expresses Council appreciation for the diligent efforts of the Marion County Wellfield Protection Steering Committee. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Hinkle moved,

seconded by Councillor Coughenour, for adoption. Proposal No. 105, 1997, as amended, was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Gray

Proposal No. 105, 1997, as amended, was retitled SPECIAL RESOLUTION NO. 33, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1997

A SPECIAL RESOLUTION expressing Council appreciation for the diligent efforts of the Marion County Wellfield Protection Steering Committee in preparing recommendations for consideration by the Metropolitan Development Commission and the Council.

WHEREAS, the Comprehensive Plan for Marion County, adopted by the Metropolitan Development Commission, recommends establishing wellfield protection programs for all public wellfield areas in Marion County, and it specifically recommends regulating certain potentially hazardous land uses near such wellfield areas; and

WHEREAS, local water utilities, anticipating the Indiana Department of Environmental Management mandates for Public Water Supply Systems, are presently establishing wellfield protection programs as a first step towards protecting their public wellfields; and,

WHEREAS, dependency on ground water is increasing (the City of Lawrence is totally dependent on ground water; the Town of Speedway gets much of its water from ground water resources; and, the Indianapolis Water Company estimates that by the year 2000, 18% of its water supply will come from ground water, up from an estimated 9% in 1993); and,

WHEREAS, future development in Marion County is dependent on the availability of ground water; now, therefore:

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

SECTION 1. The Indianapolis City-County Council supports the development of a program to protect ground water resources used for the public water supply. Such a program may include:

- A. Use easements (exclusively) in the "setback" area around wells (100-200 feet).

If easements cannot be voluntarily secured, eminent domain presumably may be used in setback area since there is a clear "utility purpose" as prescribed in state law.

- B. Use easements (selectively) where the water utility deems appropriate.

This will involve voluntary purchase and will not likely entail use of the eminent domain power.

- C. Encouraging the placement of easements/deed restrictions on parcels of government-owned land in the wellfield protection districts when such land is disposed of by the unit of government.

This recommendation would be directed to all local, state, and federal agencies that hold land in the districts, including such units of local government as the county, consolidated city, included and excluded towns and cities, townships, conservation districts, school districts, and the like. The State Fair Commission, IUPUI, Marion County Health and Hospital

Corporation, and the Veterans Administration are specific governmental units that have significant holdings in the W-1 and W-5 districts.

D. Reviewing the Gravel Sand Borrow (GSB) and drainage ordinances with specific regard to protection of ground water.

We recommend that DMD and DPW undertake ordinance revisions to adequately protect wellfield ground water. Affected neighborhood, business, and environmental interests should be involved with these ordinance revision efforts.

E. Incorporating wellfield protection considerations in revisions of the Marion County Comprehensive Plan.

F. Creating a wellfield education and registration program.

A Wellfield Education Corporation should be formed to (1) conduct general education and (2) register and provide targeted education for businesses that pose a potential risk to ground water.

G. Adopting a Development Plan ordinance that regulates new development and the expansion of existing facilities in the wellfield districts.

H. Conducting a comprehensive evaluation of the wellfield protection program, including the education and registration program and administration of the development plan ordinance, and making policy recommendations to the City-County Council no later than June 30, 2000.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 168, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 168, 1997 on April 21, 1997. The proposal adds Indiana Black Expo Community Development Corporation and United Northeast Development Corporation as eligible neighborhood development corporations for sales and grants of real property. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider asked about the properties that are sold to these development groups. Sherry Kohlmeyer, Department of Metropolitan Development (DMD) Division of Neighborhood Services, stated that after County properties go through a tax sale twice without being purchased, they can be sold to a not-for-profit development group for a nominal fee. City properties which are not re-developed or prove to be blighted and undesirable areas are put into the not-for-profit organizations' hands to develop.

Councillor Schneider asked how many properties are conveyed upon these not-for-profits each year. Ms. Kohlmeyer stated that 30 properties is a rough estimate. She stated that the not-for-profit organizations are held to strict criteria, and if they do not comply or perform as required, the property can be taken back.

The President suggested that Councillor Schneider, as the Chairman of the Administration and Finance Committee, look into the process of how these properties are distributed.

Councillor Williams stated that Proposal No. 168, 1997 is simply adding two organizations to the list of corporations already approved to receive these properties. The proposal does not

address the process itself. She said that the process is to disperse unused or trashed properties to be used or developed in a positive way. Councillor Short stated that one such parcel in his neighborhood was developed into a small community park and garden.

Councillor Gilmer stated that he is against the proposal because he does not understand the process and questions why Black Expo is considered a development corporation. Councillor Boyd stated that the Indiana Black Expo Community Development Corporation is a separate entity from the actual Black Expo event that takes place once a year.

Councillor Hinkle moved, seconded by Councillor Williams, for adoption. Proposal No. 168, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 168, 1997 was retitled GENERAL ORDINANCE NO. 59, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 59, 1997

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County to add Indiana Black Expo Community Development Corporation and United Northeast Development Corporation as eligible neighborhood development corporations for sales and grants of real property under IC 36-7-15.1-15.1 and IC 36-7-15.1-22.5(e)(3).

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

SECTION I. Section 2-515.5 of the Code of Indianapolis and Marion County, Indiana is hereby amended by adding the underlined language to read as follows:

Sec. 2-515.5. Determination of eligibility of neighborhood development corporations and nonprofit corporations for sales and grants of real property under IC 36-7-15.1-15.1 and IC 36-7-15.1-22.5(e)(3).

(a) When disposing of real property by sale or grant under IC 36-7-15.1-15.1 or IC 36-7-15.1-22.5(e)(3) the Metropolitan Development Commission shall only sell or grant to a nonprofit corporation or neighborhood development corporation, meeting the following criteria:

- (1) it shall have as a major corporate purpose and function, the provision of housing for low or moderate income families within the geographic area in which the parcel of property is located;
- (2) it shall have been established for at least one year; and
- (3) it shall have filed, and complied with the terms of, a "project development agreement" in the form determined by the Metropolitan Development Commission, which shall require among other terms, that prior to the transfer of title to the real estate to it:
 - a. all affected, registered neighborhood associations will have been notified and either agreed to the project or have been granted the opportunity for hearing before the Commission, and
 - b. an acceptable and feasible financial plan for the intended redevelopment has been presented to and approved by the director or the director's designee.

(b) The City-County Council of the City of Indianapolis and of Marion County, Indiana determines, that so long as they operate in compliance with the criteria in subsection (a), the following nonprofit corporations and neighborhood development corporations meet the criteria established herein:

- (1) Business Opportunity Systems Community Development Corporation;
- (2) Community Action of Greater Indianapolis;
- (3) Concord Community Development Corporation;
- (4) Eastside Community Investments, Inc.;
- (5) Indianapolis Neighborhood Housing Partnership;
- (6) King Park Area Development Corporation;
- (7) Mapleton-Fall Creek Housing Development Corporation;
- (8) Martindale-Brightwood Community Development Corporation;
- (9) Martin Luther King Community Development Corporation
- (10) Meridian Kessler Development Corporation;
- (11) Near North Development Corporation;
- (12) Riley Area Revitalization Program;
- (13) Southeast Neighborhood Development, Inc.;
- (14) United Northwest Area Development Corporation;
- (15) West Indianapolis Development Corporation;
- (16) Westside Community Development Corporation;
- (17) Williams, Howard, Wright, Inc.;
- (18) Habitat for Humanity;
- (19) Historic Landmarks Foundation;
- (20) Consortium Foundation, Inc.;
- (21) Redevelopment/Revitalization of the Southside Community;
- (22) Indiana Black Expo Economic Development Corporation;
- (23) United Northeast Development Corporation;

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

PROPOSAL NO. 210, 1997. Councillor Hinkle reported that the Metropolitan Development Committee heard Proposal No. 210, 1997 on April 21, 1997. The proposal amends the Comprehensive Zoning Maps of Marion County by updating base maps #38, #39, and #46 (97-AO-9). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hinkle moved, seconded by Councillor Gilmer, for adoption. Proposal No. 210, 1997 was adopted on the following roll call vote; viz:

April 28, 1997

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

0 NAYS:

2 NOT VOTING: Jones, Smith

Proposal No. 210, 1997 was retitled GENERAL ORDINANCE NO. 60, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 60, 1997

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 97-AO-9

AN ORDINANCE to amend the Code of Indianapolis and Marion County, Appendix D, Part 21, as amended, the Zoning Ordinance for Marion County, Indiana which Ordinance includes the Comprehensive Zoning Maps Of Marion County, Indiana, as amended, and fixing a time when the same shall take effect.

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

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

SECTION 1. The Comprehensive Zoning Maps of Marion County, Indiana, adopted under Metropolitan Development Commission Docket Number 70-AO-4, as amended, pursuant to IC 36-7-4, be further amended to modify specifically base maps #38, #39, and #46 of said maps to include subsequent rezonings (which Comprehensive Zoning Maps, as amended, are attached hereto, incorporated herein by reference and made a part of this Ordinance); and all land with the area noted on the four sections of each of the following base maps: #38, #39, and #46 are hereby classified, divided and zoned in accordance with the zoning district classifications as designated upon said Comprehensive Zoning Maps, as amended, thereby update said Comprehensive Zoning Maps to include various rezonings by individual description or map amendments adopted subsequent to Metropolitan Development Commission docket number 87-AO-2.

SECTION 2. The adoption of the Comprehensive Zoning Maps, as amended, shall not supersede, amend or repeal any individually initiated rezoning ordinances approved by the City-County Council subsequent to December 11, 1995, and thereafter legally effective (which rezoning by individual legal description have not been mapped and included upon the Comprehensive Zoning Maps, as amended, but shall be so included upon said MAPS in a subsequent map updating amendment hereto).

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

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

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

PROPOSAL NO. 216, 1997. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 216, 1997 on April 16, 1997. The proposal determines that the lease of office space at 155 East Market Street for the Marion County Superior Court, Probation Department, Adult Services Division, is necessary. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 216, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 216, 1997 was retitled SPECIAL RESOLUTION NO. 34, 1997, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1997

A PROPOSAL FOR A SPECIAL RESOLUTION determining that the lease of 2,880 square feet of office space at 155 East Market Street, Suite 575, Indianapolis, Indiana, is needed for the Marion County Superior Court, Probation Department, Adult Services Division.

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

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines the lease of office space for the use of Marion County Superior Court, Probation Department, Adult Services Division, is necessary.

SECTION 2. The property located at 155 East Market Street, Indianapolis, Indiana, is owned by Barrister, L.L.C. Andrew P. Barton, Gary F. Aletto, and Thomas R. Berry each own a ten (10) percent or more equity interest in Barrister, L.C.C.

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

The President passed the gavel to Vice President McClamroch.

Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal Nos. 227-237, 239, and 240-242, 1997 on April 16, 1997. He asked for consent to vote on Proposal Nos. 227-237, 1997 together, Proposal Nos. 239 and 240, 1997 together, and Proposal Nos. 241 and 242, 1997 together. Consent was given.

PROPOSAL NO. 227, 1997. The proposal, sponsored by Councillor Hinkle, authorizes a traffic signal at Dandy Trail and Ocean Line Drive (District 18). PROPOSAL NO. 228, 1997. The proposal, sponsored by Councillor Dowden, authorizes a traffic signal at 71st Street and Hague Road (District 4). PROPOSAL NO. 229, 1997. The proposal, sponsored by Councillor Jones, authorizes a multi-way stop at 28th Street and Station Street (District 10). PROPOSAL NO. 230, 1997. The proposal, sponsored by Councillor Williams, authorizes a multi-way stop at 31st Street and New Jersey Street (District 22). PROPOSAL NO. 231, 1997. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 20th Street and Sharon Avenue (District 16). PROPOSAL NO. 232, 1997. The proposal, sponsored by Councillor Brents, authorizes a multi-way stop at 14th Street and Pershing Avenue (District 16). PROPOSAL NO.

233, 1997. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at Riley Avenue and Walnut Street (District 15). PROPOSAL NO. 234, 1997. The proposal, sponsored by Councillor Moriarty Adams, authorizes a multi-way stop at 9th Street and Hamilton Avenue (District 15). PROPOSAL NO. 235, 1997. The proposal, sponsored by Councillor Gilmer, authorizes a multi-way stop at 59th Street and Moller Road (District 1). PROPOSAL NO. 236, 1997. The proposal, sponsored by Councillor Gray, authorizes multi-way stops at Oak Forge Drive and Sycamore Forge Lane; and at Oak Forge Circle, Maple Forge Court, and Oak Forge Lane (District 9). PROPOSAL NO. 237, 1997. The proposal, sponsored by Councillor Gray, authorizes a multi-way stop at 57th Street and Coburn Avenue (District 9). By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Williams, for adoption. Proposal Nos. 227-237, 1997 were adopted on the following roll call vote; viz:

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

Proposal No. 227, 1997 was retitled GENERAL ORDINANCE NO. 61, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 61, 1997

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>
15	Dandy Trl, Ocean Line Dr	Dandy Trl	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>
15	Dandy Trl, Ocean Line Dr	None	Signal

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

Proposal No. 228, 1997 was retitled GENERAL ORDINANCE NO. 62, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 62, 1997

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>
13	71st St, Hague Rd	None	All Way 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>
13	71st St, Hague Rd	None	Signal

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

Proposal No. 229, 1997 was retitled GENERAL ORDINANCE NO. 63, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 63, 1997

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>
19	28th St, Station St	Station 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>
19	28th St, Station 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. 230, 1997 was retitled GENERAL ORDINANCE NO. 64, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 64, 1997

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	31st St, New Jersey St	New Jersey 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>
18	31st St, New Jersey 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. 231, 1997 was retitled GENERAL ORDINANCE NO. 65, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 65, 1997

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>
24	20th St, Sharon Av	Sharon 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>
24	20th St, Sharon 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. 232, 1997 was retitled GENERAL ORDINANCE NO. 66, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 66, 1997

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>
24	14th St, Pershing Av	Pershing 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>
24	14th St, Pershing 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. 233, 1997 was retitled GENERAL ORDINANCE NO. 67, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1997

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	Riley Av, Walnut St	Riley 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	Riley Av, Walnut 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. 234, 1997 was retitled GENERAL ORDINANCE NO. 68, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 68, 1997

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	9th St, Hamilton Av	Hamilton 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>
25	9th St, Hamilton 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. 235, 1997 was retitled GENERAL ORDINANCE NO. 69, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 1997

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	59th St, Moller Rd	Moller 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>
9	59th St, Moller Rd	None	All Way Stop

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

Proposal No. 236, 1997 was retitled GENERAL ORDINANCE NO. 70, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 70, 1997

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	Oak Forge Ci, Maple Forge Ct, Oak Forge Ln	Oak Forge Ln	Stop
9	Oak Forge Dr, Sycamore Forge Ln	Oak Forge 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>
9	Oak Forge Ci, Maple Forge Ct, Oak Forge Ln	None	All Way Stop
9	Oak Forge Dr, Sycamore Forge 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. 237, 1997 was retitled GENERAL ORDINANCE NO. 71, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 71, 1997

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	57th St, Coburn Av	57th 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>
10	57th St, Coburn 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.

Vice President McClamroch returned the gavel to the President.

PROPOSAL NO. 239, 1997. The proposal, sponsored by Councillor Short, authorizes parking restrictions on Pleasant Run Parkway North Drive and Prospect Street (District 21).
PROPOSAL NO. 240, 1997. The proposal, sponsored by Councillor Short, authorizes parking restrictions on Prospect Street near Vandeman Street (District 21). By a 6-0 vote, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor Short, for adoption. Proposal Nos. 239 and 240, 1997 were adopted on the following roll call vote; viz:

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

Proposal No. 239, 1997 was retitled GENERAL ORDINANCE NO. 72, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 1997

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

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

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

Prospect Street, on the south side,
from Pleasant Run Parkway North Drive,
to a point 100 feet west of Pleasant Run Parkway North Drive

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

Proposal No. 240, 1997 was retitled GENERAL ORDINANCE NO. 73, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 1997

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

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

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

Prospect Street, on the south side,
from a point 300 feet west of Vandeman Street
to a point 700 feet west of Vandeman Street

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

PROPOSAL NO. 241, 1997. The proposal, sponsored by Councillor Black, authorizes parking restrictions on 42nd Street and Guilford Avenue (District 6). PROPOSAL NO. 242, 1997. The proposal, sponsored by Councillor O'Dell, authorizes parking restrictions on Layman Avenue and Lowell Avenue (District 13). By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gilmer moved, seconded by Councillor O'Dell, for adoption. Proposal Nos. 241 and 242, 1997 were adopted on the following roll call vote; viz:

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

0 NAYS:

3 NOT VOTING: Gilmer, Jones, Schneider

Proposal No. 241, 1997 was retitled GENERAL ORDINANCE NO. 74, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 1997

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

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

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

April 28, 1997

42nd Street, on the south side,
from 100 feet west of Guilford Avenue
to a point 100 feet east of 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. 242, 1997 was retitled GENERAL ORDINANCE NO. 75, 1997, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 1997

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

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

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

Layman Avenue, on the west side,
from Lowell Avenue to a point 30 feet north of Lowell Avenue

Layman Avenue, on the west side,
from Lowell Avenue to a point 30 feet south of Lowell Avenue

Lowell Avenue, on the south side,
from Layman Avenue to a point 30 feet east of Layman Avenue

Lowell Avenue, on the south side,
from Layman Avenue to a point 30 feet west of Layman 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 distributed copies of a newspaper article regarding a development deal in the Meadows neighborhood. He asked if this deal could be investigated further. The President referred the discussion of this article to the Chairman of the Metropolitan Development Committee. Councillor Hinkle agreed to include a discussion of this particular situation on the Committee's agenda following the Wellfield and Public Housing discussions.

Councillor Williams invited Council members to attend the Municipal Government Day on May 12, 1997 at the City Market to greet 150 Middle School children participating in the event. She thanked the Councillors who had volunteered to host a "shadow" student, and thanked Ava Earles, Assistant Clerk, for her assistance in planning the event.

ANNOUNCEMENTS AND ADJOURNMENT

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

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

- (1) Councillor Golc in memory of Gertrude Bade; and
- (2) Councillor Williams in memory of Clyde A. Bowers and Judson Haggerty; and
- (3) Councillors Hinkle, Curry, Coughenour, Borst, McClamroch, and SerVaas in memory of Mary "Rose" Spellman.

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 Gertrude Bade, Clyde A. Bowers, Judson Haggerty, and Mary "Rose" Spellman. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:13 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 April, 1997.

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)