

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

**REGULAR MEETINGS
MONDAY, JANUARY 26, 1998**

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 7:08 p.m. on Monday, January 26, 1998, with Councillor SerVaas presiding.

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

ROLL CALL

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

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 Boyd asked all those in support of Proposal No. 687, 1997 to stand. Councillor Massie recognized Sheriff Jack Cottey.

OFFICIAL COMMUNICATIONS

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

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

Journal of the City-County Council

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, January 26, 1998, 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

January 13, 1998

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, January 14, 1998, and in the *Indianapolis Star* or the *Indianapolis News* on Thursday, January 15, 1998, a copy of a Notice of Public Hearing on Proposal Nos. 6-8 and 54, 1998, said hearing to be held on Monday, January 26, 1998, at 7:00 p.m. in the City-County Building.

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

January 15, 1998

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* and in the *Indianapolis Star* or the *Indianapolis News* on Wednesday, January 21, 1998, a copy of a Notice of Public Hearing on Proposal No. 59, 1998, said hearing to be held on Thursday, February 5, 1998, at 4:30 p.m. in Room 260 of the City-County Building.

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

January 16, 1998

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 and resolutions:

GENERAL ORDINANCE NO. 3, 1998 - authorizes intersection controls for the Willows Subdivision, Section 2 (District 1)

GENERAL ORDINANCE NO. 4, 1998 - authorizes intersection controls for the Cooper Pointe Subdivision, Section 4 (District 1)

GENERAL ORDINANCE NO. 5, 1998 - authorizes intersection controls for the Bel Moore Subdivision, Section 1 (District 23)

GENERAL ORDINANCE NO. 6, 1998 - authorizes a multi-way stop at 79th Street and Carroll Road (District 5)

GENERAL ORDINANCE NO. 7, 1998 - authorizes a multi-way stop at Berwyn Street and Mars Hill Street (District 17)

January 26, 1998

GENERAL ORDINANCE NO. 8, 1998 - authorizes a multi-way stop at Miller Street and Pershing Avenue (District 17)

GENERAL ORDINANCE NO. 9, 1998 - authorizes a multi-way stop at New Jersey Street and Pacific Street (Districts 20, 25)

GENERAL ORDINANCE NO. 10, 1998 - authorizes a multi-way stop at Beechwood Lane and Brill Street (District 25)

GENERAL ORDINANCE NO. 11, 1998 - authorizes a multi-way stop at Graham Avenue and St. Joseph Street (District 13)

GENERAL ORDINANCE NO. 12, 1998 - authorizes a multi-way stop at 12th Street and Holmes Avenue (District 16)

GENERAL ORDINANCE NO. 13, 1998 - authorizes a stop sign at 56th Street and Eden Village Drive (District 1)

GENERAL ORDINANCE NO. 14, 1998 - authorizes a multi-way stop at Lockburn Street and Perry Street (Districts 17, 19)

GENERAL ORDINANCE NO. 15, 1998 - authorizes a multi-way stop at Millhouse Road and Old Mill Drive (District 19)

GENERAL ORDINANCE NO. 16, 1998 - authorizes a multi-way stop at 62nd Street and Broadway Street (District 7)

GENERAL ORDINANCE NO. 17, 1998 - authorizes a multi-way stop at 57th Street and Carvel Avenue (District 7)

GENERAL ORDINANCE NO. 18, 1998 - authorizes a multi-way stop at 56th Street and Winthrop Avenue (District 7)

GENERAL ORDINANCE NO. 19, 1998 - authorizes a multi-way stop at 63rd Street and Delaware Street (District 7)

GENERAL ORDINANCE NO. 20, 1998 - authorizes a multi-way stop at 58th Street and Pennsylvania Street (District 7)

GENERAL ORDINANCE NO. 21, 1998 - authorizes parking restrictions on Beach Avenue between Lincoln Boulevard and Keystone Avenue West Drive; and on Keystone West Drive between 80th Street and Beach Avenue (District 7)

GENERAL ORDINANCE NO. 22, 1998 - authorizes parking restrictions on Perkins Avenue in front of Spruce Manor Senior Apartment Complex (District 21)

GENERAL ORDINANCE NO. 23, 1998 - authorizes no parking anytime restrictions on Southeastern Avenue between Meadow Drive and Shortridge Road (District 23)

GENERAL ORDINANCE NO. 24, 1998 - authorizes no parking restrictions on Michigan Street, on the south side, from New Jersey Street to a point 134 feet east of New Jersey Street (District 22)

GENERAL RESOLUTION NO. 1, 1998 - approves and authorizes execution of two agreements between the City of Indianapolis, Department of Public Works, and the White River Environmental Partnership

SPECIAL RESOLUTION NO. 1, 1998 - commends Iesha Garcia and Mr. and Mrs. Michael Powers

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 January 12, 1998. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 69, 1998. The proposal, sponsored by Councillors Curry, Dowden, and McClamroch, recognizes the public service of Sheriff's Department Captain Michael S. "Mike" Russo. Councillor Curry read the proposal and presented Captain Russo with a copy of the document and a Council pin. Mr. Russo stated that he is honored by this recognition and will always have fond memories of working with Council members. He added that he will miss the Sheriff's Department and, most of all, helping the citizenry of Indianapolis. Councillor Gilmer and Sheriff Jack Cottey stated that Captain Russo will be missed and wished him well in his new endeavor. Councillor Curry moved, seconded by Councillor Dowden, for adoption. Proposal No. 69, 1998 was adopted by a unanimous voice vote.

Proposal No. 69, 1998 was retitled SPECIAL RESOLUTION NO. 2, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 2, 1998

A SPECIAL RESOLUTION recognizing the public service of Sheriff's Department Captain Michael S. "Mike" Russo.

WHEREAS, Michael S. "Mike" Russo is a graduate of Chatard High School and of Indiana University; and

WHEREAS, after serving in the Sheriff's cadet program, and with the Marion County Civil Defense office, Russo became a sworn deputy sheriff on November 1, 1975; and

WHEREAS, over the years Mike served under six sheriffs, received four promotions in rank, and was tremendously active in many facets of public safety work; and

WHEREAS, Russo graduated from the FBI National Academy, was a part-time Marshall of the Town of Meridian Hills, was in charge of special deputies, was with water rescue and SWAT, took special training in fire arson, and received dignitary protection training by the U.S. Secret Service; and

WHEREAS, he was the Marion County Sheriff's Department coordinator for security at events such as the Pan Am Games, the Indianapolis 500 and Brickyard 400 Races, the NCAA Final Four games and protection of national and international dignitaries who were in Indianapolis; and

WHEREAS, Russo has the thickest personnel file in the Sheriff's Department, stuffed with accolades and commendations including a Red Cross Certificate for saving a victim's life in an automobile accident; 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 outstanding public safety work of Mike Russo, and wishes him well as he transfers his talent and experiences to Eli Lilly and Company.

SECTION 2. Mike Russo represents the very best in the public safety profession, and he serves as an inspiration and role model for all who wear a police badge, and

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. 70, 1998. The proposal, sponsored by Councillor Cockrum, recognizes the 25th Anniversary of American Trans Air, Inc. Councillor Cockrum read the proposal and presented John P. Teague, president and chief executive officer of American Trans Air, with a copy of the document and a Council pin. Mr. Teague stated that it is his honor to accept this recognition on behalf of over 5,000 employees. Councillor Cockrum moved, seconded by Councillor Gilmer, for adoption. Proposal No. 70, 1998 was adopted by a unanimous voice vote.

Proposal No. 70, 1998 was retitled SPECIAL RESOLUTION NO. 3, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1998

A SPECIAL RESOLUTION recognizing the 25th Anniversary of American Trans Air, Inc.

WHEREAS, American Trans Air, Inc. was founded in Indianapolis in 1973 by J. George Mikelsons; and

WHEREAS, what began at that time as one man's dream and one airplane is now the largest charter carrier in North America and the nation's eleventh largest airline; and

WHEREAS, ATA focuses upon scheduled and charter airline service to the most popular vacation destinations; and

WHEREAS, ATA, a part of Amtran, Inc., has grown to 24 scheduled service destinations and over 400 charter destinations a year with a fleet of 45 airplanes and a staff of 5,000 employees including its own ATA Aviation Training Academy for aviation maintenance technicians; and

WHEREAS, this successful and efficient 25-year-old Indianapolis-based airline has carried more than 35 million passengers, mostly on their way to and from fun vacation sites; 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 American Trans Air and its employees for ATA's extremely successful 25 years of growth by providing quality and affordable air service.

SECTION 2. The Council specifically commends founder J. George Mikelsons, a native of Latvia, for his skill and vision to grow the company so well in such a relatively short period of time.

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. 14, 20, 25, 26, and 27, 1998 together. All proposals are board or department director appointments and passed unanimously out of Committee. Consent was given.

PROPOSAL NO. 14, 1998. The proposal, sponsored by Councillor Gilmer, approves the Mayor's appointment of Dennis Neidigh as Director of the Department of Capital Asset Management for a term ending December 31, 1998. PROPOSAL NO. 20, 1998. The proposal, sponsored by Councillor SerVaas, appoints William G. Lantz, III to the Marion County Early Intervention Plan Team. PROPOSAL NO. 25, 1998. The proposal, sponsored by Councillor McClamroch, reappoints Monty Combs to the Community Centers of Indianapolis Board. PROPOSAL NO. 26, 1998. The proposal, sponsored by Councillor McClamroch, reappoints

Tony A. Buford to the Board of Asset Management and Public Works. PROPOSAL NO. 27, 1998. The proposal, sponsored by Councillor McClamroch, reappoints Arno Haupt to the Board of Asset Management and Public Works. Councillor McClamroch read the proposals and moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 14, 20, 25, 26, and 27, 1998 were adopted by a unanimous voice vote.

Proposal No. 14, 1998 was retitled COUNCIL RESOLUTION NO. 3, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 3, 1998

A COUNCIL RESOLUTION approving the Mayor's appointment of Dennis Neidigh as Director of the Department of Capital Asset Management for a term ending December 31, 1998.

WHEREAS, pursuant to IC 36-3-5-2 and Section 271-11 of the "Revised Code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Capital Asset Management 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 Dennis Neidigh to serve as Director of the Department of Capital Asset Management at the pleasure of the Mayor for a term ending December 31, 1998; now, therefore:

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

SECTION 1. Dennis Neidigh is approved and confirmed by the City-County Council to serve as Director of the Department of Capital Asset Management at the pleasure of the Mayor for a term ending December 31, 1998.

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

Proposal No. 20, 1998 was retitled COUNCIL RESOLUTION NO. 4, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1998

A COUNCIL RESOLUTION appointing William G. Lantz, III to the Marion County Early Intervention Plan Team.

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 Early Intervention Plan Team, the Council appoints:

William G. Lantz, III

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. 25, 1998 was retitled COUNCIL RESOLUTION NO. 5, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 5, 1998

A COUNCIL RESOLUTION reappointing Monty Combs to the Community Centers of Indianapolis Board.

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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 Community Centers of Indianapolis Board, the Council appoints:

Monty Combs

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. 26, 1998 was retitled COUNCIL RESOLUTION NO. 6, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 6, 1998

A COUNCIL RESOLUTION reappointing Tony A. Buford to the Board of Asset Management and 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 Asset Management and Public Works, the Council appoints:

Tony A. Buford

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. 27, 1998 was retitled COUNCIL RESOLUTION NO. 7, 1998, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 7, 1998

A COUNCIL RESOLUTION reappointing Arno Haupt to the Board of Asset Management and 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 Asset Management and Public Works, the Council appoints:

Arno Haupt

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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 59, 1998. Introduced by Councillors Borst, Golc, and Smith. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which determines that a health hazard exists in the groundwater of the South Emerson, Mars Hill, and Richland (Frog Hollow) areas of Marion County, and that the appropriate remedy is the extension of water service by the

Indianapolis Water Company to these areas"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 60, 1998. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$145,208 in the 1998 Budgets of the nine Township Assessors (County General Fund) to fund technology upgrades as identified in the 1998 proposed county budget financed by fund balances"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 61, 1998. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the sale of the real estate formerly used as the Marion County Healthcare Center at 11850 Brookville Road to the Institute in Basic Life Principles, Inc. of Oak Brook, Illinois"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 62, 1998. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$53,438 in the 1998 Budget of the County Auditor (County General Fund) to increase the grant to the Marion County Fair Board by the amount that was reduced in 1994 financed by fund balances"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 63, 1998. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$32,000 in the 1998 Budget of the Cooperative Extension Service (County General Fund) to reimburse Purdue University for the increased cost of extension agents financed by fund balances"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 64, 1998. Introduced by Councillor Hinkle. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,745,957 in the 1998 Budget of the Department of Metropolitan Development, Division of Planning (Transportation General Fund--\$500,000 and Federal Grants Fund--\$1,245,957) to pay for the preparation of alternatives for traffic congestion in the Northeast Corridor of Marion County financed by a federal grant and matching funds from members of the Northeast Corridor MIS Task Force"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 65, 1998. Introduced by Councillor Shambaugh. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$4,188,000 in the 1998 Budget of the Department of Parks and Recreation (Parks General Fund) to fund various capital projects financed by a grant from Lilly Endowment"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 66, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which confirms the Marion County Public Defender Board's nomination of David E. Cook as Marion County Chief Public Defender"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 67, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which establishes a petty cash fund in the amount

of \$2,500 for the Public Defender Agency”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 68, 1998. Introduced by Councillor Dowden. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an increase of \$20,092 in the 1998 Budget of the County Sheriff (County General Fund) to re-appropriate unspent funds from 1997 to pay for computer software licenses”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 71, 1998. Introduced by Councillor Franklin. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which amends Sections 135-101 and 135-102 of the Revised Code to provide for additions to the County General Fund Reserve Account”; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 72, 1998. Introduced by Councillor O'Dell. The Clerk read the proposal entitled: “A Proposal for a Fiscal Ordinance which approves an appropriation in the 1998 Budget of Marion County (County General Fund Reserve Account) in the amount of \$2,000,000 for the future implementation of The Guardian Home 2000 Plan financed from County General Fund balances”; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 73, 1998. Introduced by Councillors McClamroch and Cockrum. The Clerk read the proposal entitled: “A Proposal for a Council Resolution which appoints Scott Fitzgerald to the Board of Parks and Recreation”; and the President referred it to the Parks and Recreation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 58, 1998. Councillor Borst reported that the Economic Development Committee heard Proposal No. 58, 1998 on January 15, 1998. The proposal is an inducement resolution for Visiting Nurse Service, Inc. in an amount not to exceed \$3,600,000 to be used for the acquisition of the existing 80,000 square foot building located at 4701 North Keystone Avenue (Visiting Nurse Service, Inc. Project) (District 6). Councillor Borst explained that Visiting Nurse Service, Inc. will not be required to make a Payment in Lieu of Taxes (PILOT) due to the fact that they provide a service that would otherwise have to be provided by Health and Hospital Corporation at a greater cost to taxpayers. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Williams asked how the PILOT monies are distributed. Councillor Borst stated that it depends on several factors as to how those monies are used, and he agreed to discuss this topic in the next Economic Development Committee meeting.

Councillor Borst moved, seconded by Councillor Massie, for adoption. Proposal No. 58, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 NOT VOTING: Coonrod

Proposal No. 58, 1998 was retitled SPECIAL RESOLUTION NO. 4, 1998, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1998

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

WHEREAS, the City of Indianapolis, Indiana acting pursuant to and in accordance with the provisions of Indiana Code 36-7-12, et seq., as amended (the "Act"), is authorized to issue its economic development revenue bonds to assist Visiting Nurse Service Foundation, Inc. (the "Company") to proceed with the acquisition of an existing building and the acquisition of machinery, equipment and/or other fixtures to be located at 4701 North Keystone Avenue, Indianapolis, Indiana (Visiting Nurse Service, Inc. Project) in an amount not to exceed \$3,600,000; and

WHEREAS, the Indianapolis Economic Development Commission (the "Commission") has been informed by the Company that it proposes to acquire an existing 80,000 square foot building and acquire machinery, equipment and/or other fixtures on approximately a 10 acre parcel of land located at 4701 North Keystone Avenue for use by its affiliate Visiting Nurse Service, Inc. for maintenance of its corporate base of operation for its home health agency business (the "Project"); and

WHEREAS, the Commission has found and determined that the diversity of industry and the retention and increase of opportunities for gainful employment (27 jobs to be created) plus the creation of an annual job payroll estimated at \$148,980 at the end of one year, \$178,776 at the end of two years, and \$268,164 at the end of three years will be achieved by the acquisition, construction, equipping and carrying out of the Project and will serve a public purpose and be of benefit to the health and general welfare of the City and its citizens; and

WHEREAS, the Commission has found and determined that the development, construction, acquisition, equipping and carrying out of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the City; and

WHEREAS, it is the conclusion of the Commission, with which conclusion the City concurs, that assisting with the financing of the proposed Project will be of benefit to the health and general welfare of the City, complies with the purposes and provisions of the Act, and is in furtherance of the public purposes pursuant to the Act and for which the Commission was created; and

WHEREAS, after careful study and investigation of the nature of the proposed Project as aforesaid, the Commission has determined that the proposed Project constitutes facilities which will be of benefit to the health and general welfare of the City and Marion County; and

WHEREAS, the most feasible method of financing the development, construction, acquisition, equipping and carrying out of the proposed Project is for the City to issue its revenue bonds for that purpose and for it to lend the proceeds from the sale of said revenue bonds to the Developer to enable it to develop, construct, acquire, equip and carry out the proposed Project and to repay the loan in installments which will be sufficient and timely to pay the principal of, premium (if any) and interest on said revenue bonds; and

WHEREAS, the Developer and the Company have requested that the City indicate its willingness to issue its revenue bonds to finance the proposed Project, and its official intent to reimburse expenditures heretofore or hereafter made by or on behalf of the Company in connection with the Project (to the extent permitted by Section 1.150-2 of the Income Tax Regulations) so that said development, construction, acquisition, equipping and carrying out of the proposed Project may move forward; and

WHEREAS, the Commission has determined that it is in the best interest of its residents that the development, construction, acquisition, equipping and carrying out of the proposed Project move forward without delay; now, therefore:

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

SECTION 1. It is the conclusion of the Indianapolis Economic Development Commission (the "Commission"), with which conclusion the City concurs, that assisting with the financing of the proposed Project will be of benefit to the health and general welfare of the City, complies with the purposes and provisions of Title 36, Article 7, Chapter 12 of the Indiana Code, as amended (the "Act") and is in furtherance of the public purposes for which the Commission was created.

SECTION 2. Accordingly, in order to assist the Developer with the financing of the proposed Project and to induce the Company to proceed with the Project and in order thereby to carry out the public purposes set forth by in the Act, WE HEREBY RESOLVE as follows:

(a) The City will use its best efforts to issue its revenue bonds (the "bonds") under the Act in a principal amount currently estimated not to exceed \$3,600,000 for the purpose of paying in whole or in part the costs of the financing, development, construction, acquisition of machinery, equipment and other fixtures to be used in furtherance of the Company's proposed Project.

(b) Simultaneously with the delivery of the Bonds, the City may lend the proceeds of the sale of the bonds to the Developer to enable it to finance, develop, construct, acquire certain machinery and other fixtures and equip the proposed Project, and the terms and provisions of such loan agreement shall be substantially in the form generally utilized in connection with such financial undertakings, as agreed upon by the City, the Developer and the Company.

(c) The basic security document or other document or documents satisfactory to the parties shall contain agreements providing for the indemnification of the Commission and the City and the individual members, directors and officers thereof for all expenses incurred by them and for any claim of loss suffered or damage to property or any injury or death of any person occurring in connection with the development, construction, acquisition of machinery, equipment and other fixtures, equipping and carrying out of the proposed Project.

SECTION 3. The City may enter into a trust indenture with a corporate trustee. The trust indenture may pledge such loan agreement and the amounts derived or derivable by or on behalf of the City pursuant thereto, to said corporate trustee for the benefit of the owners of the bonds, and the terms of such trust indenture shall be agreed upon by the City, the Company and said corporate trustee.

SECTION 4. Subject to and in accordance with the provisions of the Act, the City will assist in the prompt preparation of the basic security document, the trust indenture, and any security agreement.

SECTION 5. If for any reason the City has not issued bonds hereunder by July 31, 1998, the provisions of this Resolution shall, at the option of the City, be cancelled.

SECTION 6. The Mayor and Clerk of the City are further authorized to take any and all further action and execute and deliver any and all other documents as may be necessary to issue and deliver the bonds and to effect the undertaking for which the bonds are proposed to be issued.

SECTION 7. Based upon representations of the Company and the Developer to the effect that they intend to apply all or a portion of the proceeds of the bonds to reimburse themselves for all or a portion of the costs of the Project paid prior to the date of issuance of the bonds, the City hereby declares its official intent to apply all or a portion of the proceeds of the bonds to reimburse such expenditures, to the extent permitted by Section 1.150-2 of the Income Tax Regulations. This Resolution shall be in full force and effect from and after its passage by the City-County Council and approved by the Mayor.

PROPOSAL NOS. 74-76, 1998, PROPOSAL NO. 77, 1998, PROPOSAL 78, 1998, and PROPOSAL NOS. 79-90, 1998. Introduced by Councillor Hinkle. Proposal No. 74-76, 1998, Proposal No. 77, 1998, Proposal No. 78, 1998, and Proposal Nos. 79-90, 1998 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on January 23, 1998. 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. 10-26, 1998, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 10, 1998.

96-Z-76A

7401 KENTUCKY AVENUE (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19

CAMBY CROSSING, L.L.C., by Philip A. Nicely, requests a rezoning of 10.99 acres, being in the D-3 and C-4 Districts, to the D-7 classification to provide for multi-family development.

REZONING ORDINANCE NO. 11, 1998.

96-Z-76B (Amended)

7401 KENTUCKY AVENUE (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT #19

CAMBY CROSSING, L.L.C., by Philip A. Nicely, requests a rezoning of 38.81 acres, being in the D-3 and D-7 Districts, to the C-4 classification to provide for a Community-Regional Commercial District characterized by major retail business groupings and regional shopping centers.

REZONING ORDINANCE NO. 12, 1998.

96-Z-76C (Amended)

8201 CAMBY ROAD (approximate address), INDIANAPOLIS.

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 19

CAMBY CROSSING, L.L.C., by Philip A. Nicely, requests a rezoning of 52.62 acres, being in the D-3 and D-7 Districts, to the C-S classification to provide for the construction of a self-storage facility with ancillary uses including an office and resident manager.

REZONING ORDINANCE NO. 13, 1998.

97-Z-223

1740-1742 WEST HOWARD STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 25

WEST INDIANAPOLIS DEVELOPMENT CORPORATION requests a rezoning of 0.235 acre, being in the C-3 District, to the D-5 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 14, 1998.

97-Z-214

7536 EAST 46th STREET (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC., by James L. Tuohy, requests a rezoning of 0.673 acre, being in the D-5 District, to the SU-1 classification to permit the continued use and expansion of a church and church related uses.

REZONING ORDINANCE NO. 15, 1998.

96-Z-167 (AMENDED)

2702 NORTH TIBBS AVENUE (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #16

KIMCO EAGLEDALE, INC., requests a rezoning of 12.0 acres, being in the C-4 Districts, to the C-S classification to provide for all C-4 permitted uses; child daycare center; convalescent/nursing home; the following C-ID permitted uses: auctioneer service, automobile storage, building material sales and storage, convenience markets, crating and packaging services, contractors and subcontractors uses (excluding concrete, excavation, landscaping, masonry, stone work, pool, septic system, and demolition); distributorship, light equipment and tool sales, service, and rental; linen supplies; mini-warehousing, photo-finish laboratory; repair facilities of any type; storage and transfer facilities; warehousing; wholesaling; and lumber and wholesale operations of building contractors with manufacture, storage, and delivery of building products.

REZONING ORDINANCE NO. 16, 1998.

97-Z-135

502 EAST 38th STREET (approximate address), INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #6

MARTIN LUTHER KING COMMUNITY DEVELOPMENT requests a rezoning of 0.5909 acre, being in the D-5 and D-9 Districts, to the D-10 classification to provide for attached multi-family residential uses which may include 19 townhomes.

REZONING ORDINANCE NO. 17, 1998.

97-Z-143

2929 EAST WASHINGTON STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 0.2 acre, being in the I-3-U District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 18, 1998.

97-Z-184

915-923 NORTH CALIFORNIA STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 16

GREATER GETHSEMANE MISSIONARY BAPTIST CHURCH, INC., by Stephen D. Mears, requests a rezoning of 0.27 acre, being in the D-8(RC) Districts, to the SU-1(RC) classifications to provide for an accessory parking area for an existing religious use.

REZONING ORDINANCE NO. 19, 1998.

97-Z-213

5550 LAFAYETTE ROAD (approximate address), INDIANAPOLIS.
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

THOMAS R. BERRY, by Mary E. Solada, requests a rezoning of 7.05 acres, being in the D-A District, to the C-3 classification to provide for neighborhood commercial uses excluding the following uses: outdoor advertising signs, tattoo parlors, oil lubrication shops, pawn shops, automobile repair, gambling/ bingo facilities, motorcycle shops and video arcades.

REZONING ORDINANCE NO. 20, 1998.

97-Z-221

14 BEACHWAY DRIVE (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 18

HORIZON INVESTMENTS, INC., by David J. Ryan, requests a rezoning of 0.836 acre, being in the D-6 District, to the C-3 classification to provide for neighborhood commercial uses, which may include the continued operation of gasoline station and convenience store and a restaurant use.

REZONING ORDINANCE NO. 21, 1998.

97-Z-232

8401 and 8411 WEST WASHINGTON STREET (approximate address), INDIANAPOLIS.
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

WGM, INC., by Vicki L. Anderson, requests a rezoning of 3.522 acres, being in the C-3 District, to the C-4 classification to provide for regional commercial uses including the construction of a hotel with 120 rooms, a sports club, and restaurants.

REZONING ORDINANCE NO. 22, 1998.

97-Z-234

5250 SOUTH EAST STREET (approximate address), INDIANAPOLIS.
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 25

HURRICANE FOOD, INC., by Mary E. Solada, requests a rezoning of 1.1 acres, being in the D-3 and C-1 Districts, to the C-3 classification to provide for neighborhood commercial uses including a retail fast food restaurant.

REZONING ORDINANCE NO. 23, 1998.

97-Z-235

1104-1200 and 1201-1205 EAST TABOR STREET (approximate address), INDIANAPOLIS.
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 21

LINDA H. WATSON, TAMARA and DENNIS BRINK, JANICE MAUDE, PATIA ANNE GAZVODA, MARY C. BRINKER, and JOSEPH and MALVALENA NEVITT, by Mitch Sever, request a rezoning of 1.104 acres, being in the D-5 District, to the C-3 classification to provide for neighborhood commercial uses which may include the construction of a retail drug store.

REZONING ORDINANCE NO. 24, 1998.

97-Z-244

920 NORTH ALABAMA STREET (approximate address), INDIANAPOLIS.

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 22

RILEY AREA DEVELOPMENT CORPORATION, by James Burroughs, requests a rezoning of 0.36 acre, being in the D-8(RC) District, to the CBD-2(RC) classification to provide for a senior citizen multi-family residential facility.

REZONING ORDINANCE NO. 25, 1998.

97-CP-40Z (97-DP-13)

270 SOUTH MITTHOEFFER ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 13

BEATTY COMPANY, by J. Murray Clark, requests a rezoning of 37.126 acres, being in the I-3-S and I-4-S(FF) Districts, to the D-P(FF) classification to provide for single-family residential development for 101 lots, open space and a walking trail.

REZONING ORDINANCE NO. 26, 1998.

97-CP-43Z (97-DP-12)

6151 WEST 52nd STREET (approximate address), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

DON STAFFORD, by Thomas Michael Quinn, requests a rezoning of 52.48 acres, being in the D-A and SU-43 Districts, to the D-P classification to provide for single-family residential development, consisting of 200 lots.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 54, 1998 The proposal proposes to rezone 12.693 acres at 2450 West Morris Street from C-7 and D-5 Districts to the C-S classification to provide for a truck trailer leasing and sales business (97-Z-158) (Amended) (District 17). On January 12, 1998, Councillor Golc asked for Proposal No. 54, 1998 to be scheduled for a public hearing on January 26, 1998.

Councillor Golc made the following motion:

Mr. President:

I move that the Council proceed to vote on Proposal No. 54, 1998, Rezoning Docket No. 97-Z-158 (Amended). New commitments have been made, and remonstrators have withdrawn their opposition.

Councillor Short seconded the motion, and the motion carried by a unanimous voice vote. Councillor Golc moved, seconded by Councillor Hinkle, for adoption. Proposal No. 54, 1998 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, Williams

0 NAYS:

Proposal No. 54, 1998 was retitled REZONING ORDINANCE NO. 27, 1998, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified on January 9, 1998 as follows:

REZONING ORDINANCE NO. 27, 1998.

97-Z-158 (Amended)

2450 WEST MORRIS STREET (approximate address), INDIANAPOLIS.

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #17

TRANSPORT INTERNATIONAL POOL, INC., by Thomas Michael Quinn, requests a rezoning of 12.693 acres, being in the C-7 and D-5 Districts, to the C-S classification to provide for a truck trailer leasing and sales business.

PROPOSAL NO. 769, 1997. The proposal approves an increase of \$26,165 in the 1998 Budget of the County Sheriff (State and Federal Grants Fund) to reimburse the salary expense of three officers assigned to the FBI Task Force Program financed by an FBI Task Force Grant. Councillor Dowden moved, seconded by Councillor Smith, to postpone Proposal No. 769, 1997 until February 9, 1998. Proposal No. 769, 1997 was postponed by a unanimous voice vote.

Councillor Short asked for consent to hear Proposal No. 687, 1997 next on the agenda due to the great number of public in attendance who support this proposal. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 687, 1997. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 687, 1997 on November 26, 1997, and again on January 14, 1998. The proposal, sponsored by Councillors McClamroch and Boyd, establishes a citizens police complaint process, board, and office to replace the current system. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Boyd stated that the Citizens Complaint Working Group reviewed the amended ordinance and supports its recommendation.

Councillors Moores and Moriarty Adams stated that they will abstain due to a possible conflict of interest.

Councillor Dowden moved, seconded by Councillor McClamroch, for adoption. Proposal No. 687, 1997, as amended, was adopted on the following roll call vote; viz:

23 YEAS: Black, Borst, Boyd, Brents, Cockrum, Coonrod, Coughenour, Curry, Dowden, Gilmer, Golc, Gray, Hinkle, Jones, Massie, McClamroch, O'Dell, SerVaas, Short, Smith, Talley, Tilford, Williams

3 NAYS: Bradford, Schneider, Shambaugh

3 NOT VOTING: Franklin, Moores, Moriarty Adams

Councillor Schneider asked for consent to explain his vote. Consent was given. Councillor Schneider stated that he served eight years on the Sheriff's Merit Board, and he feels there should be a police officer able to vote on this complaint board.

Proposal No. 687, 1997, as amended, was retitled GENERAL ORDINANCE NO. 25, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 1998

A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by repealing Sections 304 through 308, and adopting a new Division 3, in Article I of Chapter 251 relating to the citizens police complaint process, board, and office.

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 be is hereby amended by deleting and repealing the current sections 3-304 through 3-308.

SECTION 2. The Revised Code of the Consolidated City and County be and is hereby amended by adding a new Division 3, Article I in Chapter 251, to read as follows:

CHAPTER 251. DEPARTMENT OF PUBLIC SAFETY

ARTICLE I. IN GENERAL

DIVISION 3. CITIZENS COMPLAINT PROCESS

Sec. 251-131. Citizens police complaint office.

(a) There shall be established the citizens police complaint office as a part of the department of public safety. Any complaint of a citizen against a police officer alleging that the officer used profane and abusive language or intentionally destroyed or damaged real or personal property, exceeded his/her authority as a police officer, used unauthorized force, or acted in violation of Indianapolis Police Department rules and regulations or orders may be filed with the citizens police complaint office. In addition, if a complainant alleges that intimidation tactics are being used to impede the filing of a complaint, the complainant shall report this to the complaint office and a separate complaint will be filed regarding the new information. Each complaint shall be filed within sixty (60) days of the action giving rise to the complaint, shall be in writing, and shall be signed by the person making the complaint who shall affirm under the penalties of perjury that the representations contained therein are true. The complaint may be filed in person or by facsimile or through the mail. Additionally, complaints may be filed after the expiration of the sixty (60) day time period where the person making the complaint was under a legal disability during the sixty (60) day time period or where, upon a showing of good and sufficient cause and upon majority vote of the board, a person is permitted to belatedly file a complaint.

(b) Any individual personally aggrieved by the act(s) complained of may file a complaint. A parent or guardian may file a complaint on behalf of a minor or incompetent individual. A member of the immediate family of a decedent may file a complaint on behalf of the decedent. The board may, upon two-thirds vote of its members, initiate an action.

(c) The complaint process shall be accessible to all citizens regardless of race, national origin, religion, creed, sex, sexual orientation, age, language or disability.

Sec. 251-132. Citizens police complaint board established; election process; terms; quorum.

(a) *Members.* There shall be established a citizens complaint board composed of nine (9) voting members and two (2) ex-officio, non voting police advisory members to be selected as follows:

- (1) All members shall be citizens who are residents of the police special service district. No sworn law enforcement officer is eligible to serve as a voting member of the board. Voting members may be selected from nominees submitted by the five (5) Indianapolis Police Department district task forces which are convened by the deputy chief of each district. No district task force may nominate more than three (3) candidates for appointment to the board.
- (2) Five (5) of the members shall be appointed by the city-county council. At least two (2) of these five (5) members must be of a different political party. Two (2) of these members shall serve for a one-year term ending December 31, 1998, two (2) of these members shall serve for a two-year term ending December 31, 1999, and one (1) of these members shall serve for a three (3) year term ending December 31, 2000, or until their successors are appointed and confirmed.

- (3) Four (4) of the members shall be appointed by the mayor. One (1) of these members shall serve for a one (1) year term ending December 31, 1998, one (1) of these members shall serve for a two (2) year term ending December 31, 1999, and two (2) of these members shall serve for a three (3) year term ending December 31, 2000, or until their successors are appointed and confirmed.
- (4) Upon the expiration of any member's term, an appointment will be made to his position by the original appointing body, for a term of three (3) years. Each member may be reappointed to a three (3) year term, but may serve no more than two (2) consecutive terms.
- (5) The two (2) ex-officio, non-voting police members of the board shall be appointed as follows: one (1) by the mayor and one (1) by the city-county council and shall serve two (2) year terms ending December 31, 1999. The officers appointed shall:
 - a. have been members of the Indianapolis Police Department for more than (7) years;
 - b. shall have participated in ethics training;
 - c. have strong community relations experience;
 - d. be of the rank of sergeant or below in rank, preferably a patrolman; and
 - e. shall not serve more than two (2) consecutive terms on the board.
- (b) *President.* The members shall select one (1) member to serve as president of the citizens complaint board from the voting members of the board.
- (c) *Removal.* All members shall serve at the pleasure of the appointing officials.
- (d) *Establishment of quorum; votes required for action.* Five (5) voting members of the board shall constitute a quorum for the purpose of conducting business. Five (5) voting members of the board must vote in favor of before any action or disposition can be taken by the Board.
- (e) *Attendance requirements.* All voting board members must attend a minimum of 75% of the meetings of the board. The appointing authority shall replace any member who fails to meet this attendance requirement within sixty (60) days of written notice of failure to meet this attendance standard.
- (f) *Training.* All voting board members must participate in twenty (20) hours of training in police procedures, to be completed within six (6) months of their appointment, and shall receive an additional twenty (20) hours of such training per year. In addition, each voting member shall be required to accompany an on-duty officer a minimum of four (4) times per year, for a minimum of four (4) hours per occasion, in order to observe police procedures first-hand.

Sec. 251-133. Duties of the citizens police complaint board.

The citizens police complaint board shall meet as often as necessary to consider all complaints which it deems appropriate to process and review, but no less than quarterly. The board shall set rules for its governance and shall establish its procedures for processing complaints and for ensuring notification to citizens of the status and disposition of their complaints.

Sec. 251-134. Executive director; staffing.

(a) The director of the department of public safety shall appoint a full-time executive director of the citizens police complaint office. The executive director shall be supervised by and subject to review and evaluation by the director of public safety, with the advice and consent of the members of the board. The duties of the executive director shall include:

- (1) Managing the citizens police complaint office, including its staff;
- (2) Enhancing communications and good will between the police and the citizenry.

(b) The executive director shall have the authority to contract with investigators and counsel, if the City Corporation Counsel is not available, to aid in the investigation of complaints filed with or processed by the office.

(c) The executive director shall be in regular communication with the chief of police and may make recommendations to the chief of police concerning matters of conduct and recurring issues that are processed by the citizens police complaint office. The executive director shall also provide periodic reports for publication in the police annual report.

(d) Staffing and budget recommendations for the citizens police complaint office shall be made by the director of public safety in consultation with the executive director and the board.

Sec. 251-135. Complaint investigation and hearing procedures.

(a) Upon the filing of a complaint, the executive director shall immediately send a copy of the complaint to the chief or the chief's designee. In addition, the officer(s) alleged to be involved in the incident shall be notified of the date of the incident, and given a copy of the complaint. After the filing of a complaint, the board shall table its own investigation for a period of thirty (30) working days to allow the police department to conduct its own investigation and to allow the chief to take appropriate action. However, if deemed appropriate or necessary, the Board may order the executive director to conduct an independent simultaneous investigation before the end of the thirty (30) day period. Such action must be authorized by a three-fourths (3/4) vote of the entire board.

(b) After the expiration of the thirty (30) working day period, the board shall review the investigation conducted by the police department and the action taken by the chief, if any. The board may dispose of the complaint by endorsing the findings and action taken by the department and shall notify the chief of this in writing. If the board does not agree with the action taken by the chief or with the results of the investigation conducted by the police department, the board may, by majority vote:

- (1) Order the executive director to conduct an investigation into the allegations of the complaint, and/or
- (2) Conduct an informal administrative hearing on the complaint, and/or
- (3) Order the executive director to engage in a process of informal mediation to attempt to resolve the complaint.

(c) If the board determines to hold a hearing, the complaint office shall give written notice to all parties and witnesses at least fifteen (15) days in advance of the scheduled hearing. All testimony at such hearing shall be given under oath and under penalty of perjury.

(d) Upon the completion of the investigation by the complaint office or after the hearing, the board shall make a disposition regarding the complaint. The disposition shall be one of the following:

- (1) *Not sustained*: There is insufficient evidence to prove or disprove the allegation(s).
- (2) *Sustained*: There is sufficient evidence to prove the allegation(s) made in the complaint by clear and convincing evidence.
- (3) *Unfounded*: The allegation(s) is/are false or not factual.
- (4) *Exonerated*: The incident occurred, but is lawful and proper.

The disposition must be made within one hundred twenty (120) days of the date the complaint is received by the office.

(e) The findings and disposition of the board shall be communicated to the chief of police in writing within ten (10) days of the date of the disposition.

(f) If the chief does not confirm the findings and disposition of the board within thirty (30) days of disposition or if there is a conflict between the findings and disposition of the board and the findings of the chief, the board may, upon a majority vote of its members, require mediation between the chief of police and the executive director.

(g) Any disciplinary action taken against an officer due to his/her involvement in an incident which resulted in a complaint being filed with the office shall be communicated to the board for disclosure to the public.

Sec. 251-136. Subpoena powers.

For purposes of conducting an investigation or hearing, the board shall have the power to subpoena witnesses and documents, except those documents relating to ongoing criminal investigations, including such public records as are deemed subject to disclosure under the terms of IC 5-14-3-1 et seq. The power of the board to issue subpoenas shall be enforceable by the Marion County circuit or superior court.

Sec. 251-137. Access to board by officers; participation of officers.

- (1) Any officer subpoenaed to appear before the board may be represented by an attorney.
- (2) Police officers shall have access to the complaint process to defend their actions, both during the investigatory and hearing processes.
- (3) Police officers shall be required to cooperate with the board as an investigation is conducted subject to their constitutional rights.

SECTION 3. 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. 6, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 6, 1998 on January 14, 1998. The proposal approves an increase of \$500,000 in the 1998 Budget of the County Sheriff (State and Federal Grants Fund) to fund 15 new road deputies for the first of a three-year Law Enforcement Assistance Grant from the Indiana Criminal Justice Institute. 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 7:46 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 6, 1998 was adopted on the following roll call vote; viz:

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

0 NAYS:

4 NOT VOTING: Cockrum, Franklin, Short, Talley

Proposal No. 6, 1998 was retitled FISCAL ORDINANCE NO. 1, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) appropriating an additional Five Hundred Thousand Dollars (\$500,000) in the State and Federal Grants Fund for purposes of the County Sheriff and County Auditor 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, y) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the County Sheriff and County Auditor to fund 15 new road Deputies for the first of a three year Law Enforcement Assistance Grant.

SECTION 2. The sum of Five Hundred Thousand Dollars (\$500,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services - Fringes	62,280
<u>COUNTY SHERIFF</u>	
1. Personal Services	311,400
4. Capital Outlay	<u>126,320</u>
TOTAL INCREASE	500,000

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>500,000</u>
TOTAL REDUCTION	500,000

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. 7, 1998. The proposal approves an increase of \$5,000 in the 1998 Budget of the County Auditor (Enhanced Access Fund) to pay the expenses of providing enhanced access services funded by enhanced access fees. PROPOSAL NO. 8, 1998. The proposal approves an increase of \$95,000 in the 1998 Budget of the County Auditor (Civic Link Fund) to pay expenses of providing civic link services funded by civic link fees. Councillor Dowden moved, seconded by Councillor Schneider, to postpone Proposal Nos. 7 and 8, 1998 until February 9, 1998. Proposal Nos. 7 and 8, 1998 were postponed by a unanimous voice vote.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 339, 1997. The proposal, sponsored by Councillor Brents, authorizes the removal of parking meters and the addition of no parking signs surrounding the federal buildings downtown (District 16). PROPOSAL NO. 469, 1997. The proposal, sponsored by Councillors SerVaas and Gilmer, concerns parking adjacent to federal government buildings. These proposals, originally heard in the Capital Asset Management Committee in May, July, and August of 1997, were postponed at the August 25, 1997 Council meeting at the request of United States Marshall, Frank J. Anderson, until a Security Audit and Terrorist Risk Assessment could be performed regarding parking around federal buildings in Indianapolis. The President stated that this audit and assessment will not be available until March. Councillor Gilmer moved, seconded by Councillor McClamroch, to postpone Proposal Nos. 339 and 469, 1997 until March 16, 1998. Proposal Nos. 339 and 469, 1997 were postponed by a unanimous voice vote.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 720, 1997. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 720, 1997 on December 16, 1997, and again on January 13, 1998. The proposal, sponsored by Councillor Moores, concerns voting limitations by Councillors. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Curry reported that substantial amendments were made in Committee and a further amendment contained on page 2, Section C also needs to be made. He moved, seconded by Councillor Gilmer, to substitute the revised version, generated by General Counsel Robert Elrod, for the original proposal. Proposal No. 720, 1997 was amended by a unanimous voice vote.

Councillor Golc asked what the new proposal changes in the way a Councillor is allowed to vote. Councillor Moores stated that the current ordinance does not allow a Councillor with an indirect interest in a particular subject to even participate in discussions regarding the proposal. The new ordinance allows for a Councillor with an indirect interest to make a valuable contribution to the discussions after publicly disclosing such interest or experience in the matter. She stated that the ethical codes of various other bodies were researched to give the new ordinance a balancing effect.

Councillor Curry added that subsection (b) in the proposed ordinance defines what constitutes direct or indirect interest and allows for a Councillor, after having disclosed interest in a particular matter, to participate in discussions.

Councillor Golc asked which indirect conflicts are not properly defined in the current ordinance. Councillor Moores stated that indirect financial conflicts are still prohibited, but indirect personal conflicts, such as in her case of being married to a police officer, are allowed. In these cases, the value of a person's contribution outweighs an appearance of conflict.

Councillor Moriarty Adams stated that she has tried for four years to get a clear understanding of exactly what constituted an indirect personal interest. She stated that this proposal helps to clear up that definition.

Councillor Williams stated that the current ordinance is vague, but that even though the new ordinance is better, there are still areas which contain terminology that is unclear, such as in subsection (2)(a).

Councillor Curry stated that the most substantial area of the new proposal is found in subsection (b)(3). This line item places the burden on the individual Councillor to disclose when they have a conflict. If the Councillor feels, even after disclosure, that there is still a conflict and they should not vote, that is a personal decision. Otherwise, if the majority supports that interested party's voting on the matter, there is no conflict.

Councillor Short stated that as part-time Councillors with outside employment, there are often going to be instances where abstentions are necessary. He added that this proposal brings guidance to declaring a conflict of interest, but ultimately, the decision is still up to the individual, and the Council will have to rely on integrity to prevail in these instances.

Councillor Borst stated that this is a very hard issue to quantify. He added that he would like to have more time to review the changes by counsel before voting on the proposal. Councillor Borst moved, seconded by Councillor Gray, to postpone Proposal No. 720, 1997 until February 9, 1998. The President called for a voice vote, and then ruled that a division vote should be taken. Proposal No. 720, 1997 was postponed on the following roll call vote; viz:

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

Councillor Borst asked for consent to move Proposal No. 771, 1997 next on the agenda due to the number of citizens in attendance in support of the proposal. Consent was given.

PROPOSAL NO. 771, 1997. Councillor Curry reported that the Rules and Public Policy Committee heard Proposal No. 771, 1997 on January 13, 1998. The proposal, sponsored by Councillor Borst, establishes a procedure for determining whether a public utility providing water service in the city shall be required to extend service to an area served by private water wells when a health hazard is determined to exist. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Borst introduced Charles Goodman, a citizen who brought this situation to the Legislature's attention, and stated that of over 300 homes affected by this proposal, 148 of them are in Councillor Borst's district. He added that some residents have not had water for five years, and it is hard for him to imagine this happening in Marion County. Councillor Borst stated that rates should not increase due to this proposal's passage, and the Water Company is willing to help however it can.

Councillor Golc stated that "The Bottoms" neighborhood in his district has also experienced severe contamination of wellfields, and he commended Mr. Goodman on his efforts in this area.

Councillor Gray asked what the cost will be to residents to insure this service. Councillor Borst stated that residents will simply pay a water bill like other City residents. No additional fees will be assessed to pay for the pipes and extension of the service. Councillor Gray asked how some homes in his neighborhood can receive similar assistance. Councillor Borst stated that the Health and Hospital Corporation (H&H) must first determine that the wellfields are contaminated. He suggested Councillor Gray contact Pam Thevenow of H&H.

Marjorie Pittman, resident of South Emerson, and Mr. Goodman explained the severity of the wellfield contamination and urged the Council to support Proposal No. 771, 1997.

Councillor Curry moved, seconded by Councillor Borst, for adoption. Proposal No. 771, 1997 was adopted on the following roll call vote; viz:

28 YEAS: Black, Borst, Boyd, Bradford, Brents, Cockrum, 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: Coonrod

Proposal No. 771, 1997 was retitled GENERAL ORDINANCE NO. 26, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 26, 1998

A GENERAL ORDINANCE establishing a procedure for determining whether a public utility providing water service in the city shall be required to extend service to an area served by private water wells when a health hazard is determined to exist.

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

SECTION 1. The "Revised Code of the Consolidated City and County" be, and is hereby amended to add a new Chapter 711 to Title III to read as follows:

TITLE III

PUBLIC HEALTH AND WELFARE

Chapter 711. Wells

ARTICLE I - EXTENSION OF PUBLIC UTILITY WATER SERVICE
TO AREAS WITH CONTAMINATED PRIVATE WELLS.

Sec. 711-111. Authority.

The authority for this article is P.L. 221-1997, which authority is effective July 1, 1997, and expires June 30, 2001.

Sec. 711-112. Procedure to extend public utility water service.

The following procedure shall be used to determine whether a public utility providing water service in the city shall be required to extend service to an area served by private water wells when a health hazard is determined to exist:

(a) If the Health and Hospital Corporation of Marion County confirms that a health hazard exists in an area within the consolidated city served by private water wells, the council may introduce an ordinance determining that a health hazard exists based on the presence in the groundwater of a contaminant, as defined by IC 13-11-2-42, and the reasons therefor, and the appropriate remedy for any such hazard. Copies of the proposed ordinance shall be given to the corporation counsel, and to the public utility providing water service within the area of concern.

(b) The proposed ordinance shall include at least the following:

- (1) A description of the area of concern, including the number and types of structures in the area.
- (2) An indication as to which public utility provides water service in the area and the location of the nearest existing water main.
- (3) An indication as to which structures are not served by the public utility providing water service in the area.
- (4) A finding as to whether a "health hazard" exists due to the presence in the groundwater of the area of a contaminant, as defined by IC 13-11-2-42.
- (5) Identification of the available alternatives to address the "health hazard" and the relative cost of each alternative.
- (6) A firm estimate from the public utility providing water service in the area of the cost of extending service to the structures subject to the "health hazard", including the anticipated percent rate increase.

- (7) Identification of the percent of residents in the area that are low and moderate income residents, as defined by the area benefits test established under the Community Development Block Grant (CDBG) Program.
- (8) Identification of any potential sources of funding for the extension of water service to the area (aside from the procedure described in P.L.221-1997), including pending enforcement actions that seek reimbursement for these expenses, the ability of residents to pay for connections, grants, loans, and other income sources, and a timetable in which those funds might be available.
- (9) A finding as to whether lines are available, but the connection simply has not been made.

(c) The proposed ordinance shall be referred to the public works committee. The council committee shall hold a public hearing to take evidence and hear argument on whether the proposed ordinance should be adopted as the council's determination. The clerk of the council shall give notice of such hearing in accordance with IC 5-3-1, and to the corporation counsel, to the executive director of the Health and Hospital Corporation of Marion County, and to the public utility providing water service within the area of concern.

(d) If the proposed determination is: 1) that a health hazard exists; and 2) that the appropriate remedy for such health hazard is that the public utility providing water service within the city be required to extend, to the area in which a health hazard has been found to exist, the utility's mains and to perform connections consistent with cost estimates described in the proposed ordinance, then the utility shall have fifteen (15) days from the date it receives the proposed ordinance to file with the clerk of the council exceptions to the proposed ordinance.

(e) At the time set for such hearing, or an adjournment thereof, the council committee shall proceed to hear all written protests and other submissions and to hear evidence and arguments from any interested persons or entities concerning the proposed ordinance. A record shall be kept of such hearing and the evidence presented therein.

(f) After the conclusion of the public hearing, the council committee may recommend to the council final action to adopt the proposed ordinance.

(g) Copies of the council's final determination shall be provided to the corporation counsel, to the executive director of the Health and Hospital Corporation of Marion County, and to the public utility providing water service within the area of concern.

(h) If the council's final determination requires that the public utility providing water service within the city extend, to the area in which a health hazard has been determined to exist, the utility's mains and to perform connections consistent with the cost estimates described in the proposed ordinance, the extension of such service by the utility shall not increase the monthly payment of any customer of the utility by more than one percent (1%), unless the Indiana Utility Regulatory Commission (Commission) approves a larger increase in accordance with the Commission's rules and procedures.

(i) Following completion of the main extensions and connections as provided in subpart (8), the public utility shall file with the clerk of the city-county council the amended rate schedule filed with the Commission to comply with P.L. 221-1997, Section 2(b).

Sec. 711-113. Extensions of time.

The council may for good cause extend any of the time limits imposed in this article.

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

SECTION 3. Should any provision (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 Indiana Code '36-3-4-14.

Councillor Gilmer asked for Ms. Thevenow to stand and be recognized and stated that there are areas in his district which could also use this type of assistance. The President stated that Ms. Thevenow and H&H will help determine the severity of each case.

The President passed the gavel to Vice President McClamroch at 8:40 p.m.

PROPOSAL NO. 768, 1997. Councillor Borst reported that the Economic Development Committee heard Proposal No. 768, 1997 on January 15, 1998. The proposal, sponsored by Councillor Williams, amends the county food and beverage tax. By a 3-1-1 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken.

Councillor Williams stated that this proposal was prompted by her frustration with the seemingly endless cash flow available to the Capital Improvements Board (CIB) to invest in several projects throughout the County. She added that she hopes even with the demise of this proposal, that it will promote further discussion regarding the accountability of using surplus tax funds.

Councillor Borst moved, seconded by Councillor Massie, to strike Proposal No. 768, 1997. Proposal No. 768, 1997 was stricken on the following roll call vote; viz:

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

Vice President McClamroch returned the gavel to President SerVaas at 8:42 p.m.

Councillor Gilmer asked if there will be discussions regarding the cash flow use for all of the municipal corporations. Councillor Williams stated that only the CIB seems to have a surplus, while the others are struggling to make ends meet.

PROPOSAL NO. 9, 1998. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard Proposal No. 9, 1998 on January 14, 1998. The proposal, sponsored by Councillor Borst, approves a transfer of \$7,500 in the 1998 Budget of the Forensic Services Agency (State and Federal Grants Fund) to provide additional supply monies for use in DNA STR testing. 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 Borst, for adoption. Proposal No. 9, 1998 was adopted on the following roll call vote; viz:

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

Proposal No. 9, 1998 was retitled FISCAL ORDINANCE NO. 2, 1998, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 1998

A FISCAL ORDINANCE amending the City-County Annual Budget for 1998 (City-County Fiscal Ordinance No. 90, 1997) transferring and appropriating an additional Seven Thousand Five Hundred Dollars (\$7,500) in the State and Federal Grants Fund for purposes of the Forensic Services Agency and reducing certain other appropriations for that agency.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02(x) of the City-County Annual Budget for 1998 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Forensic Services Agency to provide additional supply monies for use in STR DNA testing.

SECTION 2. The sum of Seven Thousand Five Hundred Dollars (\$7,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>FORENSIC SERVICES AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
2. Supplies	7,500
TOTAL INCREASE	7,500

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

<u>FORENSIC SERVICES AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	7,500
TOTAL DECREASE	7,500

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

PROPOSAL NO. 388, 1997. Councillor Gilmer reported that the Capital Asset Management Committee heard Proposal No. 388, 1997 on June 18, 1997, December 10, 1997, and again on January 21, 1998. The proposal, sponsored by Councillor SerVaas, authorizes parking restrictions on 66th Street from College Avenue to Cornell Avenue (District 2). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gilmer moved, seconded by Councillor SerVaas, for adoption. Proposal No. 388, 1997 was adopted on the following roll call vote; viz:

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

Proposal No. 388, 1997 was retitled GENERAL ORDINANCE NO. 27, 1998, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 1998

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:

Sixty-sixth Street, on the north side,
from College Avenue to Cornell 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 Golc asked Councillor O'Dell if he had replied in writing to the constituent he referred to at the last Council meeting. Councillor O'Dell stated that a draft has been made with the help of legal counsel, and he will let Councillor Golc review the letter before sending it out.

Councillor Gray asked if a report is forthcoming regarding those houses demolished by the City as he requested. Councillor Hinkle responded that he does have a list, and can give Councillor Gray details on the properties he is interested in. He added that Councillor Gray is welcome to attend the discussions involving this issue which will take place in the Metropolitan Development Committee beginning next month.

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 Coughenour in memory of Henry "Bud" Ostrom ; and
- (2) Councillors Bradford, Schneider, Dowden, and Coughenour in memory of Carolyn Duvall; and
- (3) Councillor Boyd in memory of William Kenneth Howard and Irene P. Davis Oates.

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 Henry "Bud" Ostrom, Carolyn Duvall, William Kenneth Howard, and Irene P. Davis Oates. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:50 p.m.

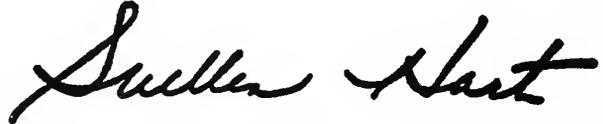
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 26th day of January, 1998.

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)